

Reference – Renvoi

Action Taken – Mesures prises

Referred To
Destinataire

Purpose – Objet

Date _____

Initials
-
Initiales

P.A.
Date
or T.
—
Date de
range-
ment
ou de
trans-
mission

B.F. Date
Date de
rappel

Initials
-
Initiales

Registry
Inspection
—
Examen
du service
des
Archives

Objet	Date
7180	

DORMANT

DORMANT

RELATED FILES are listed inside file cover – DOSSIERS CONNEXES énumérés à l'intérieur

IMPORTANT

The REGISTRY is established to serve you but satisfactory service is largely dependent upon your prompt return of files. This file is charged to you and you are responsible for its return; unless you notify the Registry to transfer the charge to another person, the file will remain charged to you until it is returned. **If action cannot be taken within 48 hours B.F. FILE. Do not remove documents from the file.**

Particulars Re Use of File Cover

- Column 1 – Shows the office or name of the person to whom the file is routed.
- 2 – Shows the reasons for the routing, or the date and identification number of the letter on file requiring your attention.
 - 3 – Shows the date on which the file is routed to the user.
 - 4 – Provides for initials of the person routing or rerouting a file.
 - 5 – Provides space for the user to enter the date of P.A. (put away) when action is completed – OR the letter “T” when the user transfers the file to another person.
 - 6 – Provides space for the user to write the BF (bring forward) date, the date the user wishes the file to be brought back to him.
 - 7 – Provides space for the user to initial the entry when a file is to be P.A.’d, B.F.’d, or “T” transferred.
 - 8 – Provides space for the Registry to enter the date on which the file is returned to the Registry and inspected before being put away.

L’objet du SERVICE DES ARCHIVES est de servir, mais la qualité du service est liée au prompt retour des dossiers. Il incombe à la personne au nom de laquelle le présent dossier est inscrit, de le renvoyer au service des archives; à moins qu’elle n’avertisse le service d’inscrire le dossier au nom d’une autre personne, le dossier restera inscrit à son nom, tant qu’il sera en circulation. **Si l’on ne peut s’occuper du dossier dans les 48 heures, indiquer la date de rappel. Ne pas enlever de documents du dossier.**

Détails concernant l’usage de la chemise

- Colonne 1 – indiquer le bureau ou le nom de la personne vers qui le dossier est acheminé.
- 2 – indiquer les raisons de l’acheminement ou la date et le numéro d’identification de la lettre au dossier dont le destinataire doit s’occuper.
 - 3 – indiquer la date d’acheminement du dossier vers l’usager.
 - 4 – réservée aux initiales de la personne acheminant ou réacheminant le dossier.
 - 5 – réservée à l’inscription de la date de rangement par l’usager, lorsqu’il a fini du dossier – OU à celle de la lettre “T” quand l’usager transmet le dossier à une autre personne.
 - 6 – réservée à l’inscription de la date de rappel, à laquelle l’usager souhaite ravoit le dossier.
 - 7 – réservée aux initiales de l’usager, lorsque le dossier fait l’objet d’un rangement, d’un rappel ou d’une transmission.
 - 8 – réservée au service des archives pour y inscrire la date ou le dossier lui est renvoyé et ou il est examiné avant d’être rangé.

CLOSED
VOLUME



VOLUME
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7/70

AFFIX TO TOP OF FILE — À METTRE SUR LE DOSSIER

DO NOT ADD ANY MORE PAPERS — NE PAS AJOUTER DE DOCUMENTS

FOR SUBSEQUENT CORRESPONDENCE SEE — POUR CORRESPONDANCE ULTÉRIEURE VOIR

FILE NO. — DOSSIER N°

SF 7-3-1A

VOLUME

10

TEMPORARY FILE SLIP

FE . TEMPORAIRE DE DOSSIER

REMARQUE: La présente fiche sert à transmettre la correspondance lorsque le dossier principal est sorti ou n'est pas demandé; ne pas l'enlever, mais la fixer au dossier principal dès que possible.

FILE NO. - DOSSIER N°

0560

SUBJECT - SUJET

MAIN FILE IS CHARGED TO - DOSSIER PRINCIPAL INSCRIT AU NOM DE

5- 87-3-1A.

REFERENCE - RENVOI

ACTION TAKEN - MESURES PRISES

[illegible]

REMARQUE: Si l'on ne peut procéder sans le dossier, prière de la déclarer et de renvoyer la correspondance aux archives.

000005

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-ninth meeting of the Committee was held on Friday, July 31, at 2:15 p.m. in the Conference Room of the Department of Indian Affairs and Northern Development, Centennial Tower, 400 Laurier Avenue West.

CENTRAL	REGISTRY
FILE No.	587-3-1A
CORR. No.	0658
REFER. TO	D-17

*Sur
17/8/81*

PRESENT:

Mr. H.B. Robinson, Deputy Minister, Department of Indian Affairs and Northern Development (Chairman)

Mr. A.D. Hunt, Assistant Deputy Minister, Department of Indian Affairs and Northern Development (Chairman a.i.)

Dr. J.C. Arnell, Department of National Defence
Mr. C.M. Bolger, Treasury Board
Dr. D.E. Box, Department of National Health and Welfare
Dr. T.G. How, Ministry of Transport
Dr. J.M. Harrison, Department of Energy, Mines and Resources
Mr. J.A. Parkinson, Department of Fisheries and Forestry
Supt. K.J. Parkins, Royal Canadian Mounted Police
Miss-V.A. Sims, Department of Manpower and Immigration
Mr. E.G. Lee, Department of External Affairs
Mr. J.M. Shoemaker, Privy Council Office
Mr. G. Taylor, Department of Finance
Dr. R.J. Uffen, Science Secretariat, Privy Council Office
Dr. R.F. Wilkinson, Defence Research Board

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

- 2 -

ALSO PRESENT:

Maj. R.W. Farrington, Department of National Defence
LCdr A.D. Taylor, Department of National Defence
Cdr R.D. Sweeny, Department of National Defence
Mr. L.H. Legault, Department of External Affairs
Mr. R.C. Smith, Department of External Affairs
Mr. L. Colby, Department of Energy, Mines and Resources
Mr. R.R. MacGillivray, Ministry of Transport
Mr. J.K. Naysmith, Department of Indian Affairs and Northern
Development
Mr. T. Hyslop, Department of Indian Affairs and Northern
Development
Mr. A. Reeve, Department of Indian Affairs and Northern
Development
Mr. G.W. Rowley, Department of Indian Affairs and Northern
Development

.. 3

I. Progress report on organization of Conference of circum arctic nations for pollution control and navigational standards.

The following papers had been distributed:-

- a. Memorandum to Cabinet, 24 July, 1970 from Secretary of State
- b. Telegram No. 403 - Ex. Aff. 12 May 1970
- c. Telegram No. 2000 - Ex. Aff. 10 July 1970
- d. Text of response by U.S. to U.N. Secretary General, 29 Jan. 1970
- e. Telegram No. 1999 - Ex. Aff. 10 July 1970
- f. Telegram No. 1980 - Ex. Aff. 9 July 1970
- g. Telegram No. 1792 - Ex. Aff. 10 Jun. 1970
- h. Telegram No. 2021 - Ex. Aff. 14 July 1970
- i. Telegram No. 1361 - Ex. Aff. 10 Jun. 1960

Mr. Legault distributed a detailed report on the Conference, and spoke in general terms on the logistic arrangements which the task force had so far considered. Many questions remain to be answered, particularly regarding the nature of the conference, before any real progress can be made in connection with organizational and administrative preparations. He hoped to receive guidance from the Advisory Committee on Northern Development so that the task force could proceed.

Discussion ensued as to whether the Conference could take place as originally planned.

Dr. Uffen confirmed that the Cabinet had decided to postpone the proposed Conference. It would, in all likelihood therefore be preceded by a multi-lateral scientific and technical conference. Two conferences were therefore involved but it was not expected that the relationship between the two and the timing could be clarified before the middle of September. Several members said that at least a year was desirable if adequate preparations were to be made for international conferences of this kind.

Dr. Harrison spoke on the implications of the technical and scientific conference and the ideas arising from the Montebello conference. Some consideration should be given at the Scientific Conference to the kind of association which should be set up among circum-arctic countries to coordinate and encourage research.

Mr. Legault asked the Committee specifically to advise whether the task force should be kept in being, what funds if any should be earmarked now, and the advisability of appointing a full time secretary with appropriate terms of reference who would coordinate the work of the task force through to its completion.

After some discussion, the Committee agreed::

- a. that the task force should remain in being and be concerned with both conferences.
- b. that by September matters should have crystallized sufficiently for specific terms of reference to be worked out and a secretary appointed.

II. Tabling of regulations under Arctic Waters Pollution Prevention Act

The following papers had been distributed:

- a. Memorandum to Chairman, A.C.N.D. dated 28 July 1970.
- b. Proposed draft regulations.

Mr. J.K. Naysmith, the Chairman of the task force established to draft the regulations, amplified the contents of his memorandum to the Chairman, detailing those parts of the Act which dealt exclusively with regulations.

During the discussion, it was mentioned that the Department of Justice had been instructed by Cabinet to carry out a study of compensation to fishermen. This had broad implications in which the Interdepartmental Committee on Water Resources was also involved.

Dr. Uffen said Cabinet would want a progress report on the regulations.

The task force invited the Committee to consider the following recommendations:-

1. That the A.C.N.D. commission a special Working Group to study the question of pollution liability and to recommend ways of dealing with the problem.
2. That the N.R.C. Associate Committee on Scientific Criteria of Environmental Quality address itself immediately to questions of criteria and standards for Arctic waters.
3. That the Governor in Council delegate authority to administer:-
 - Parts I, II, and IV to the Minister of Indian Affairs and Northern Development,
 - Parts III and V to the Minister of Transport.
4. That the Governor in Council appoint Pollution Control officers in accordance with recommendations of the responsible Ministers.

5. That the draft regulations, after certain refinements, be forwarded to the Department of Justice for final review before promulgation.

The Committee approved Recommendation 1, subject to the comments made above on compensation studies, and such studies as are being pursued in other committees.

The Committee approved Recommendation 2 and the Chairman, A.C.N.D., would correspond with the Chairman of the Associate Committee on criteria and standards for Arctic waters.

There was some discussion on Recommendation 3. Dr. Arnell questioned the responsibility for enforcement and how it could be carried out. D.N.D. had a surveillance rôle, which appeared the most likely way of detecting pollution. There would have to be a clear understanding of the relationship between D.N.D. and the agency responsible for enforcing the regulations.

The Committee approved Recommendation 4.

The Committee approved Recommendation 5 in principle, with the proviso that Justice consider these regulations in their present form as drafting instructions to be supplemented by requesting the working group to elaborate orally.

It was further agreed that the Working Group would report back to the Committee, after consideration of the points raised.

III. Tabling of working paper on Canadian draft Treaty on Navigational Standards and Pollution Control in Arctic Waters

Mr. Legault stated that the Canadian draft treaty was based on the concept that Arctic coastal states had special rights. The form of treaty proposed by the U.S. had differed from the Canadian proposal in several ways, and especially in having a built-in principle providing for the delegation of powers and responsibilities to a special commission.

After some discussion the Chairman proposed a small group to work on the development of a treaty. It should have representatives from I.A.N.D., External Affairs, Ministry of Transport and Department of Justice. The Secretary was requested to obtain sufficient copies of the draft U.S. Treaty for circulation. Departments not on the working group were invited to send their comments on both the U.S. and Canadian draft Treaties to the Secretary.

IV. Ditchley Conference

Secretary's memorandum ND-489 distributed 24 July 1970.

Mr. E.G. Lee said Canadian representation was not expected to exceed six persons. The Social Science Research Council should probably be involved as well as the Canadian High Commissioner in the U.K. Denmark, Iceland and Norway were to be invited, but there was no mention of the U.S.S.R.

The Chairman (a.i.) suggested that External Affairs enquire about U.S.S.R. participation, and brief the Canadians who are invited to attend the Conference. The Committee noted that Mr. G.W. Rowley, Scientific Adviser to the Department of Indian Affairs and Northern Development, had received an invitation.

V. Other Business

Mr. Rowley reported that a U.S. citizen had been killed on the ice-island T.3 some 250 miles north and west of Ellesmere Island in the sector of the Arctic Ocean north of the Canadian mainland. Mr. Lee said the matter raised the question of jurisdiction. It was not in an area to which Canada had made any formal claim but, in order to protect any claim Canada might in the future wish to make, a note had been sent to the State Department through the Canadian Embassy in Washington, asking for details and reserving the Canadian position.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development

August 21, 1970.

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CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-ninth meeting of the Committee was held on Friday, July 31, at 2:15 p.m. in the Conference Room of the Department of Indian Affairs and Northern Development, Centennial Tower, 400 Laurier Avenue West.

I. A. & N. D.	
CENTRAL SERVICES REGISTRY	
AUG 27	
FILE NO.	587-3-1A
COMM. NO.	
REFER. TO	

PRESENT:

Mr. H.B. Robinson, Deputy Minister, Department of Indian Affairs and Northern Development (Chairman)

Mr. A.D. Hunt, Assistant Deputy Minister, Department of Indian Affairs and Northern Development (Chairman a.i.)

Dr. J.C. Arnell, Department of National Defence
Mr. C.M. Bolger, Treasury Board
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Dr. T.G. How, Ministry of Transport
Dr. J.M. Harrison, Department of Energy, Mines and Resources
Mr. J.A. Parkinson, Department of Fisheries and Forestry
Supt. K.J. Parkins, Royal Canadian Mounted Police
Miss V.A. Sims, Department of Manpower and Immigration
Mr. E.G. Lee, Department of External Affairs
Mr. J.M. Shoemaker, Privy Council Office
Mr. G. Taylor, Department of Finance
Dr. R.J. Uffen, Science Secretariat, Privy Council Office
Dr. R.F. Wilkinson, Defence Research Board

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

- 2 -

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Maj. R.W. Farrington, Department of National Defence
LCdr A.D. Taylor, Department of National Defence
Cdr R.D. Sweeny, Department of National Defence
Mr. L.H. Legault, Department of External Affairs
Mr. R.C. Smith, Department of External Affairs
Mr. L. Colby, Department of Energy, Mines and Resources
Mr. R.R. MacGillivray, Ministry of Transport
Mr. J.K. Naysmith, Department of Indian Affairs and Northern
Development
Mr. T. Hyslop, Department of Indian Affairs and Northern
Development
Mr. A. Reeve, Department of Indian Affairs and Northern
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- 5 -

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Secretary's memorandum ND-489 distributed 24 July 1970.

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- 6 -

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L.A.C.O. Hunt,
Secretary.

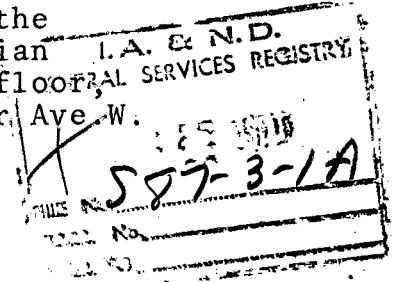
Department of Indian Affairs
and Northern Development

August 21, 1970.

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 79th meeting of the Committee to be held on Friday, July 31st, 1970 at 2:15 p.m. in the Conference Room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Ave. W.



AGENDA

- I. Progress report (Task force on organization of Conference of circum arctic countries for pollution control and navigational standards).

Papers:-

Memorandum to Cabinet, dated 24th July 1970
Telegram No. 403 - 12 May 1970
Telegram No. 2000 - 10 July 1970
Text of Response by U.S. to U.N. Sec. Gen. 29 Jan. 1970
Telegram No. 1999 - 10 July 1970
Telegram No. 1980 - 9 July 1970
Telegram No. 1792 - 10 Jun. 1970
Telegram No. 2021 - 14 July 1970
Telegram No. 1361 - 10 June 1970

- Mr. L.H. Legault

- II. Tabling of regulations under Arctic Waters Pollution Prevention Act.

Papers:-

Memorandum to Chairman, A.C.N.D. dated 28 July 1970
Regulations respecting the Prevention of pollution in Arctic Waters.

- Mr. J.K. Naysmith

- III. Tabling of Working paper on Canadian Draft Treaty on Navigational Safety and Pollution Control in Arctic Waters.

- 2 -

IV. Ditchley Conference - May 1971
(Secretary's memorandum ND-489
distributed 28 July 1970)

V. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development
July 30, 1970.

DOCUMENT ND-489

MEMORANDUM TO THE ADVISORY COMMITTEE
ON NORTHERN DEVELOPMENT

Ditchley Conference

The Ditchley Foundation, of Ditchley Park, Enstone, Oxfordshire, England, sponsors each year a series of conferences which provide a means for informal discussions of problems of mutual interest between informed individuals from the U.K. and the U.S.

Such a conference is being organized for the month of May, 1971, which will be of particular interest to this Committee and to Canada. The proposed conference is on the Arctic Ocean and the terms of reference are as follows:-

"To examine the possible consequences of the opening-up of the Arctic sea, through the development of the sea passage north of the North American continent, following the Russian use of the North East Passage; and through the developments by land and air with special reference to:

a. the exploitation and distribution of oil, minerals, fisheries, and other natural resources of the area;

b. questions of national or international jurisdiction over maritime and air traffic, and the claims of the coastal nations of the Arctic Ocean, and questions of defence;

c. questions of safety, pollution and conservation;

and to consider any measures, indicated by this examination that should be taken by national or international authorities."

The organizers of this Conference intend to widen the participation for these discussions by extending invitations to such countries as Denmark, Iceland and Norway. They hope to have a widely representational team from Canada to include experts from government, industry and the universities.

The Committee may wish to consider the position that the Canadian government experts should adopt in relation to some of these questions and to ensure that they are adequately briefed before the conference.

Department of Indian Affairs
and Northern Development
July 24, 1970.

L.A.C.O. Hunt,
Secretary.

Memorandum to Members of the Executive
Sub-committee on Science and Technology in the Arctic
A.C.N.D.

Attached are:

1. A copy of an exchange of correspondence between Dr. J.H. Hodgson, Royal Society of Canada and Dr. J.M. Harrison, concerning a resolution passed at the symposium on "The Tundra Environment", Winnipeg, June 3.
2. A notice of meeting and agenda for a meeting of the executive: Messrs. Rowley, Martin, Frost, Wardroper, Rettie, Walsh, Watson, Roots, are expected to attend. Any member of the Sub-committee may attend the meeting July 31.

C.L. Merrill,
Secretary,
Sub-committee on Science and
Technology in the Arctic.

July 21, 1970.

NOTICE OF MEETING

There will be a meeting of the Executive, Sub-committee on Science and Technology in the Arctic, at 10:00 a.m., Friday, July 31, in the 14th floor conference room, Centennial Tower, 400 Laurier Avenue West.

AGENDA

1. Proposed international conference on scientific research in the Arctic.
2. Preparation of a program of Arctic research required for the Cabinet Committee on Science Policy and Technology.

July 21, 1970



Assistant Deputy Minister (Mines and Geosciences)
of
Energy, Mines and Resources

File
Sous-ministre adjoint (Mines et sciences de la Terre)
de
l'Énergie, des Mines et des Ressources

Ottawa 4, Ontario,
June 30, 1970.

Dr. J. H. Hodgson,
Secretary,
Science Section,
Royal Society of Canada,
c/o Department of Energy, Mines
and Resources,
Ottawa 3, Ontario.

Dear Dr. Hodgson:

Thank you for bringing formally to my attention the symposium on "The Tundra Environment", and the resolution that followed therefrom. I shall see that a copy of your letter is distributed to the members of the committee that I chair. I especially approve of your principle that we need stiff regulations to conserve the northern environment, from which I take it that we are concerned with the total balance of activities in the north, and not simply the complete preservation of local environment, whatever the cost for development. I am sure there has to be a balance.

Yours sincerely,

J. M. Harrison.

THE ROYAL SOCIETY OF CANADA

LA SOCIÉTÉ ROYALE DU CANADA

Earth Physics Branch
Department of Energy, Mines and Resources
Ottawa 3, Ontario
June 25, 1970

A.D.M. (RESEARCH)

JUN 29 1970

Dr. J.M. Harrison, F.R.S.C.
Assistant Deputy Minister
(Mines and Geosciences)
Department of Energy, Mines and Resources
588 Booth Street
Ottawa 3, Ontario

Dear Dr. Harrison:

I understand that you are a member of a committee which is considering various aspects of northern operations. For this reason I have been instructed to draw your attention to a symposium which the Royal Society arranged in Winnipeg on "The Tundra Environment". I am also instructed to bring the following Society resolution to your attention.

"Resolved:

that the Royal Society shares the concern for the future of the tundra environment expressed by all the speakers at the symposium held in Winnipeg on June 3;

that the proceedings of the symposium, including both the papers of the panelists and the remarks of the principal discussers be published as early as possible;

that the principle, that there should be adopted and enforced stiff regulations for environmental conservation in the north, be strongly supported;

that the Society be urged to give the widest possible immediate publication to these findings".

The Society Council has agreed in principle to the publication of the symposium and it is hoped that this will be available without too much delay.

Sincerely yours

John H. Hodgson

John H. Hodgson
Secretary
Science Section

JMH/osc

000024

CONFIDENTIAL

July 30, 1970

REPORT

to

Advisory Committee on Northern Development

by

Preparatory Task Force
for Proposed Arctic Conference

At the proposal of the Department of External Affairs, an informal interdepartmental task force was established by the Advisory Committee on Northern Development at its meeting of June 23, 1970 for the purpose of preparing for an international conference on navigation safety and pollution control in Arctic waters which may be held in Ottawa in October.

2. The Chairmanship of the task force was confided to the Department of External Affairs, which convened two meetings (on July 8 and July 15) attended by representatives of the following departments:

Department of Indian Affairs and Northern Development
Department of National Defence
Privy Council Office
Department of Transport
Department of External Affairs (Legal Division,
Protocol Division, Scientific Relations and
Environmental Problems Division)

At the first meeting of the task force it was agreed that the Department of Energy, Mines and Resources and the Department of Fisheries should also be invited to join the group if they so desired. The Department of Fisheries, however, did not consider it necessary to be represented; the Department of Energy, Mines and Resources agreed to name a representative, who was unable, however, to attend the second meeting. It was also agreed that the Chief Science Advisor to the Cabinet should be invited to join the group at some later stage of its work.

3. The task force has identified a number of factors requiring consideration in connection with the proposed conference, having regard to the present uncertainties as to the holding of the conference and as to its timing and nature and the selection of participants. The task force has been able to come to tentative conclusions in respect of some of these factors; in respect of others, the task force requires further guidance from the ACND or considers it premature to make any recommendation or decisions. The factors in question are discussed under the following headings:

(a) Timing

While agreeing that preparations must proceed on the assumption that the conference would be held from approximately October 13 to 30, the task force concluded that it would be difficult to complete the necessary administrative and organizational preparations in the time available. The task force recognized, however, that the question of timing involved policy considerations beyond its mandate.

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(b) Issue of Invitations

(i) The task force considered the question whether Canada, as host of the conference, would issue invitations to potential participants through normal diplomatic channels (via foreign missions in Ottawa or Canadian missions abroad), or whether the invitations might appropriately go from the Prime Minister to the heads of government concerned. It was concluded that it would be premature to make any recommendation on this question until the nature of the conference and the level of participation were determined.

(ii) It was also concluded that Canada alone would issue the invitations to the conference, making clear, however, that certain other states (as ultimately determined) were acting as co-sponsors. It was also agreed that the co-sponsors might follow up the Canadian invitations.

(c) Site

The Centennial Conference Centre has been reserved for the conference, from October 13 to 30.

(d) Official Languages

It was agreed that English and French should in any event be official conference languages, and that consideration should be given to granting the same status to Russian if the USSR were to participate in the conference. It was also agreed that simultaneous interpretation of the official conference languages should be provided, as well as translations of conference documents in the languages concerned.

(e) Protocol and Official Hospitality

(i) Depending on the level of participation in the conference, arrangements would have to be made to greet delegates upon their arrival in Ottawa (and perhaps Montreal or Toronto).

(ii) Again depending on the level of participation, DND might place a chauffeur-driven car at the disposal of each delegation.

(iii) Liaison officers drawn from External Affairs, IAND, DOT, DND, etc. might appropriately be attached to each delegation.

(iv) Depending on the level of participation, special security measures may be required.

(v) It was suggested that the Prime Minister might deliver a "keynote" speech at the formal opening of the conference.

(vi) A weekend visit to the Arctic might be arranged (weather permitting) or, alternatively, visits to Toronto or Montreal or to a DOT icebreaker.

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(vii) IAND would mount a special exhibit on the Arctic (scientific, technological, economic and cultural aspects).

(viii) A state dinner and/or other appropriate receptions should be offered by the Canadian Government.

(ix) Arrangements might be made for delegates to attend an appropriate performance at the National Arts Centre.

(f) Accommodation

The task force has made tentative reservations for 100 rooms at the Holiday Inn and 120 rooms at the Lord Elgin Hotel (10 suites for heads of delegation and 10 suites for possible conversion into offices), for the period October 12 to 30. The number of rooms reserved is, of course, based on a "safe side" estimate of the possible number of participants. (The Chateau Laurier and the Skyline Hotel are both completely booked for certain portions of the period in question.)

(g) Press Facilities

(i) It was agreed that appropriate facilities for the press should be provided at the Centennial Conference Centre.

(ii) It was also agreed that one or more press and information officers drawn from External Affairs and/or IAND and DOT should be attached to the conference.

(iii) A policy question for consideration is whether the conference sessions would be open or closed (the presumption being that they would be open).

(h) Conference Secretariat

(i) It was agreed that a Conference Secretariat would have to be established which would be responsible for the organizational and administrative requirements of the conference (preparation of records, translation and reproduction of conference documents, etc.).

(ii) The Secretary of the conference and other key personnel of the Secretariat should be drawn from departmental officials having appropriate experience.

(iii) The task force could not arrive at any conclusion regarding the number of personnel required for the Secretariat in light of the uncertainty concerning the nature of the conference (scientific and technical or treaty-making?). The task force recommends, however, that the Secretary of the conference be named as soon as possible to take charge of the preparations for the conference under the guidance of the task force. If the conference is to be held in October the work of preparation must receive immediate, urgent and full-time attention which

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cannot be provided by the members of the task force in view of their departmental duties. While the task force has no recommendation to make concerning the selection of the Conference Secretary, it is noted that Mr. Nathaniel Burden, (now serving in CIDA) served as Secretary to the Colombo Plan Conference held in Victoria last year and thus has valuable experience which might be drawn upon. If and when the Secretary is named, it would be necessary to provide him with additional staff as the work of preparation advanced.

(i) Conference President or Chairman

(i) The task force draws to the attention of the ACND the fact that it is customary for the conference host to provide the president or chairman of the conference and accordingly that the ACND should give consideration to the selection of the Canadian representative who would be proposed for this function, having regard to the nature of the conference as it may be ultimately determined.

(ii) Another question for consideration by the ACND in this connection is whether or not the conference cosponsors might wish to name co-chairmen or vice-chairmen for the conference. Similarly, consideration will have to be given to the possible need for chairmen (and secretaries) for the various committees which may be established by the conference.

(j) Finances

(i) It was agreed that the conference participants would be responsible for paying the expenses of their delegates and advisors (travel, board and lodging, etc.)

(ii) It was concluded that the costs of organizing the conference (other than the delegation costs referred to above) would be met exclusively by Canada and that the cosponsors would incur no responsibilities in this connection.

(iii) While recognizing the difficulty of preparing a budget for the conference in light of the various uncertainties already referred to, the task force considers that urgent attention should be given by the ACND to the preparation of a budget for the conference and for the provisional secretariat which may be established pursuant to the recommendation of the task force; in the preparation of the budget, consideration will have to be given to the question of cost sharing by the various departments concerned. The task force also considers that an encumbrance should be placed on the required funds at the earliest possible date.

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(k) Canadian Delegation

(i) While the participation in the conference is expected to be primarily at the experts' level (scientific, technical and legal), the task force noted that it has been recognized that political representation would also be required if the purpose of the conference was to draft a treaty on navigation safety and pollution control in Arctic waters.

(ii) The task force considered the question of the level of political representation which might be included on the Canadian delegation, and particularly the question whether the head of the Canadian delegation should be of Ministerial rank. The task force concluded that while it would be premature to make a decision on the makeup of the Canadian delegation at present, this question nevertheless should be drawn to the attention of the ACND.

4. In conclusion, the task force wishes to stress that many questions remain to be answered, particularly as regards the nature of the conference, before any real progress can be made in connection with the organizational and administrative preparations for the meeting. Detailed guidance would be required from the ACND before the task force could go much further in its work.

L.H.J. Legault,
Chairman.

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July 24, 1970

MEMORANDUM FOR CABINET

Proposed International Conference on Safety of Navigation and
Prevention and Control of Pollution in Arctic Waters

A. PURPOSE OF THE MEMORANDUM

1. The purpose of this Memorandum is to inform Cabinet of recent developments relating to the possibility of convening an international conference on safety of navigation and the prevention and control of pollution in Arctic waters, and to request guidance on certain questions of principle concerning the proposed conference, namely:

- (a) the desirability of Canada attempting to organize the conference in the light of recent developments;
- (b) the position that Canada should take if the USSR should decline to participate in the conference;
- (c) the position that Canada should take if the US position should remain radically different from and basically opposed to the Canadian position regarding the conference and the results it might achieve;
- (d) the timing, sponsorship, terms of reference and nature of the conference, should it appear to be in the Canadian interest to hold it.

B. BACKGROUND

2. Annex A to this Memorandum provides comprehensive background information on developments related to the conference. In summary, the key development has been that the USA has agreed that the conference should exclude jurisdictional and resource questions and that it should be limited to elaborating internationally agreed standards of navigation safety and pollution control in Arctic waters. From a preliminary US draft treaty, however, it appears that the general US approach to the substance of the conference still remains far removed from the Canadian approach which seeks to obtain recognition of the special rights and responsibilities of the Arctic coastal states. From bilateral consultations with the USSR, it also appears that the Soviets share the Canadian position on the rights of Arctic coastal states but have strong reservations regarding the proposed conference. Major uncertainties thus remain to be resolved concerning the US and Soviet positions, which are crucial to the success of the conference from the Canadian point of view.

C. POLITICAL AND LEGAL CONSIDERATIONS RE CONFERENCE PROPOSAL

Advantages of Conference Proposal

3. Canada has been committed from the outset to a multilateral approach which would complement its Arctic waters pollution legislation and would contribute to Canada's reputation as a member of the international community. Such an approach offers certain advantages from the Canadian point of view. It would be in the Canadian interest for other countries to accept that Canada has the right to lay down minimum standards for navigation safety and pollution control in the Arctic waters adjacent to its coasts, and to agree to comply with such standards; such a result could perhaps be achieved gradually by tacit acquiescence over a period of years, but the public opposition of the

USA, for instance, makes this gradual approach very difficult. The conference proposal also has the advantage of providing a possible means of ending the bilateral confrontation between Canada and the USA in respect of the Arctic waters legislation, and shifting the issue to the multilateral plane where the Canadian position could be more rapidly accepted. In the circumstances it is desirable to explore to the fullest the possibility of securing a form of international agreement which would leave it open to the USA and other countries to consider that they had delegated to Canada and other circum-Arctic states authority to regulate navigation safety and pollution control in Arctic waters, while at the same time leaving it open for Canada and the USSR, for example, to consider that they had obtained international recognition of the special rights and responsibilities of the Arctic coastal states. Such an approach is consistent both with Canada's traditional position within the international community and the realities of Canada's relations with the USA (both of which are factors which do not apply to the USSR).

Risks of Conference Proposal

4. Certain risks and hazards as well as advantages are inherent in the conference proposal. For this reason it has been made clear from the beginning that Canada would only agree to participate in the conference on the basis of firm assurances that the conference would exclude jurisdictional and resource questions and would not prejudice or challenge Canada's Arctic waters pollution legislation. Even in the light of the agreement achieved with the USA on acceptable terms of reference for the conference, however, certain risks remain. There is the risk that it will ultimately prove impossible to convene a conference on terms satisfactory to Canada (with regard, for example, to conference participation and the substance of the treaty arrangements to be concluded at the conference). There is the further risk that if a conference is in fact convened it may still prove impossible to secure agreement on the kind of international standards and arrangements which would be acceptable to Canada. There is also the risk that the conference could lead to a collision between participants on precisely those jurisdictional issues and conflicting concepts of freedom of the seas which the conference is intended to avoid; in such event the result again would be failure of the conference, but its failure in these circumstances might be of greater consequence. Finally, there is the risk that Canada's attempts to organize the conference could give rise to the impression that Canada did not have the right, or was uncertain that it had the right, to proceed unilaterally as it had done with the Arctic waters pollution legislation. The risk in this case is perhaps more of a political than a legal nature, and it can be offset by the kind of action Canada has been taking, including in particular the proclamation of the legislation and the regulations thereunder. In the event of failure to succeed in organizing a conference or in the event of failure of the conference itself, Canada would incur some embarrassment, but on the other hand Canada would in either case have established its good faith with regard to the international community and could then revert to its unilateral position on navigation safety and pollution control in Arctic waters.

D. QUESTIONS FOR CONSIDERATION

Desirability of Continuing Attempt to Organize Conference

5. In light of the developments noted above, it is necessary to consider whether it is desirable for Canada to continue to attempt to organize an international conference on navigation safety and pollution control in Arctic waters. In considering this question, the positions of the USA and the USSR are, of course, of crucial importance. The US position, as reflected in the US preliminary draft treaty, appears far removed from the Canadian concept of an international agreement which would delegate authority to the Arctic coastal states. Since Canada has not yet been provided with the final version of the US draft treaty, however, it is difficult to judge whether and how far the USA will be willing to move towards the Canadian point of view. Similarly, there is so far no clear indication as to whether the USSR may ultimately be willing to participate in and perhaps cosponsor the proposed conference, although indications to date give little reason for optimism on this point.

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- (i) Timing - The proposal to convene the conference this autumn (from October 13 to 30) seems unrealistic in light of the various developments outlined above. The question of timing is a crucial one since a conference held a year from now rather than sometime in the next few months would provide a greater opportunity for preparation by all the states concerned and could also allow Canada to continue preparing the way for acceptance of its position through diplomatic means and through education of the public of other countries. Such a delay, however, might be strongly resisted by the USA.
- (ii) Terms of Reference - As agreed with the USA, these would be limited to the elaboration of internationally agreed standards of navigation safety and pollution control in Arctic waters which could be made applicable, by agreement, both within and beyond national jurisdiction. These terms of reference appear to provide the only framework for a multilateral approach which would be consistent with Canada's Arctic waters pollution legislation.
- (iii) Nature of the Conference - As agreed with the USA, the conference would be at the level of experts (technical, scientific and legal) but political representation would also be required since the conference would attempt to reach agreement on a treaty. Assuming confirmation of this understanding, guidance would ultimately be required as to the nature and level of Canada's political representation at the conference.
- (iv) Site and Sponsorship - The proposal agreed to by the USA is that Canada would be the sole host of the conference, which would be held at Ottawa, with the USA, USSR and a Nordic country acting as cosponsors (if the USSR and a Nordic country so agree).
- (v) Budget - Consideration must be given to the financial implications of Canada acting as host to the proposed conference, and the obligations to be assigned to various departments in this connection. An interdepartmental task force has already begun working on the organizational and administrative preparations for the conference under the aegis of the Advisory Committee on Northern Development. In light of the numerous uncertainties surrounding the conference at the present time, however, it is not yet possible to provide a firm estimate of the financial implications of the conference and a separate report on this matter will be submitted to Ministers at a later date.

E. RECOMMENDATIONS

9. Since the situation remains in a state of flux, final decisions might appropriately be postponed until greater clarification is obtained and a further submission can be made to Cabinet. In the interval, however, it is recommended that the following course of action be adopted:

- (i) Canada would not, for the time being at least, abandon its efforts to organize a conference in keeping with the Canadian approach; at the same time, however, Canada's position would be one of non-commitment to a conference until the situation is clarified and the likelihood of a successful conference (from the Canadian point of view) can be determined with greater certainty than at present. Generally, Canada would seek to bring matters to a head as quickly as possible and further instructions would be sought from Cabinet at such time as this was accomplished.

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- (ii) Canada would make clear to the other countries concerned that a number of basic issues remain to be settled concerning the proposed conference.
- (iii) Canada would similarly make clear to the other countries concerned that it had not agreed to any treaty drafted by the USA.
- (iv) Canada would continue to hold such bilateral consultations with the USA and USSR as may seem appropriate in light of the results of the recent USA-USSR discussions when these are known. If it were considered advisable, Canada might also submit to the USA a draft Canadian treaty when a text has been cleared through interdepartmental consultations (including the Advisory Committee on Northern Development).
- (v) Canada would propose to the USA, when appropriate, that the conference be postponed (possibly for one year).
- (vi) With regard to the terms of reference, nature, site and sponsorship of the conference (if it is held), it is recommended that these be confirmed as set out in items (ii), (iii) and (iv) of paragraph 9 above, having regard to the financial implications of Canada acting as host to the conference.

Secretary of State for External Affairs

BACKGROUND

Original US Conference Initiative

Immediately following the introduction of the Arctic waters pollution legislation the USA simultaneously protested the Canadian action and proposed to Canada and to 17 other countries (Denmark, Norway, Sweden, Finland, Iceland, the USSR, Britain, France, Belgium, the Netherlands, Greece, Italy, Spain, West Germany, Japan, Liberia and Panama) the convening of "a multilateral conference designed to establish an international regime for Arctic areas beyond national jurisdiction", to be held at Washington in June 1970. This proposal was made without prior consultation with Canada concerning the terms of reference of the conference, or the invitees, sponsorship, site or timing. The terms of the US proposal were ambiguous and did not make clear which Arctic environment or environments (land, sea or seabed) should be discussed at an international conference and submitted to an international regime.

Canadian Response

2. The Canadian response to the US conference proposal was directed towards securing appropriate clarifications and assurances from the USA concerning its intentions, and towards ensuring that the other countries approached by the USA were aware of Canada's serious reservations with regard to the ambiguities of the US proposal. Canada made clear to the USA and the other countries concerned that it was not prepared to participate in a conference involving any suggestion of an international regime covering Canada's Arctic lands and continental shelf, or any attempt to discuss or deal with Canada's territorial limits and national jurisdiction, Canada's Arctic resources, or any other matters falling wholly within Canadian domestic jurisdiction. At the same time Canada affirmed that it remained ready and willing to participate in multilateral discussions on matters properly of an international character with regard to navigation safety and pollution control in Arctic waters, as had been indicated by the Prime Minister in the House of Commons on October 24, 1969. Canada also made clear that it would not be willing to attend a "stacked" conference in which the majority of the participants had been selected for their hostility to the Canadian Arctic waters legislation.

3. This response from Canada (and the consequent unwillingness of other countries to participate in the conference) succeeded in obtaining from the USA confirmation that the proposed conference should be limited to matters "appropriately of international concern" and that it would exclude jurisdictional and resource questions. The USA accepted that the proposed conference should be limited solely to the two questions of navigation safety and pollution control in Arctic waters, and on this basis it was agreed that Canada and the USA would hold informal discussions concerning the proposed conference.

Points of Agreement and Disagreement Between Canada and the USA

4. Two rounds of informal discussions have been held between Canada and the USA regarding the proposed conference (on May 20 and June 16 respectively). Following inter-departmental consultations in the Advisory Committee on Northern Development, and with the approval of the Prime Minister, Canadian officials made a number of counter-proposals to the USA concerning the conference site, timing, nature, host, sponsorship and participation. The following points of agreement and disagreement have emerged as between the Canadian and US positions:

(a) Points of Agreement

- (i) Terms of reference of the conference - It has been agreed that the conference terms of reference would exclude jurisdictional and resource questions and be limited to pollution control and navigation safety standards only, with the basic approach being that the standards elaborated would be applicable, by agreement, to Arctic waters both within and beyond national jurisdiction.

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- (ii) Environment to be included - The international standards to be elaborated at the proposed conference would be applicable only to Arctic waters (both liquid and frozen) and would not be applicable to the seabed underlying those waters.
- (iii) Nature of the conference - The conference would be at the experts' level (technical, scientific and legal) but political representation would also be required since the conference would attempt to reach agreement on a treaty. A second phase of the conference could be held if necessary but it has been agreed that a single conference would be preferable if possible.
- (iv) Timing of the conference - October 13 for approximately two weeks (since re-opened).
- (v) Site of the conference - Ottawa.
- (vi) Host and co-sponsors - Canada would be the sole host of the conference while the USA would be a co-sponsor together with the USSR (if that country would agree) and a Scandinavian country (yet to be selected or approached).
- (vii) Importance of USSR participation - Both Canada and the USA would have bilateral talks with the USSR to persuade the Soviet Government to co-sponsor the conference.
- (viii) Pre-conference consultations - Further consultations might be required not only between Canada and the USA but also with other potential participants regarding various aspects of the regulations to be promulgated by Canada under the Arctic waters legislation, the agenda of the conference and related questions, and advance treaty drafting.
- (ix) Conference agenda - Preliminary agreement has been reached on a tentative agenda for the conference (copy attached as Annex B).
- ...
- (x) Timetable - It was agreed that the tentative agenda of the conference would be communicated to the USSR in June (and to the proposed Nordic co-sponsor when selected), with the request that these countries join Canada and the USA in cosponsoring the proposed conference. If the desired cosponsorship was obtained, Canada would, as soon as possible thereafter, deliver invitations as conference host to all potential participants. Immediately thereafter the USA (and presumably the USSR and the Nordic cosponsor) would follow up the Canadian invitation.
- (b) Points of Disagreement
- (i) Nature of regime - Canada has expressed its preference for a treaty regime which would fix specific and comprehensive standards for navigation safety and pollution control in Arctic waters, leaving the application of these standards to be carried out by the Arctic coastal states. The USA, on the other hand, prefers a general framework treaty with considerable delegation of regulatory and enforcement powers of international machinery. Canada has resisted this suggestion and has indicated that it would be willing to have only administrative or advisory powers given to any such machinery.
- (ii) Flexibility in application of treaty - While it has been agreed that pollution control and navigation safety standards would vary for different seasons and for different Arctic areas, no clear agreement has been reached on the extent to which the necessary flexibility would be achieved by delegating powers to international machinery or by having different regulations for different areas.

- (iii) Area of application of treaty - It has been generally accepted that the definition of the Arctic waters to which the treaty would apply could be approached as a technical question but no agreement has been reached on such a definition.
- (iv) Conference participants - The USA has not accepted the concept of two classes of participants as proposed by Canada (with shipping states having only observer status) but is willing to confine the conference to the circum-Arctic states plus a small number of shipping states. The USA has proposed that the shipping states which would have full participant status should be Japan, Britain and the Netherlands. This question remains unsettled but Canada has indicated that its views on the number and selection of participants would depend largely on the position already adopted by the countries concerned with regard to the Arctic waters legislation.
- (v) Conference decision-making procedures - It has been agreed that the conference should operate on the basis of the "consensus" procedure used in the United Nations. Canada, however, interprets this term as meaning unanimity (and thus the right of veto), whereas the USA seems to interpret the term as meaning the widest possible measure of agreement. Canada has stressed that on matters involving its essential national interest, the unanimity rule would have to prevail.
- (vi) Enforcement powers - No agreement has been reached on this question although it is understood on both sides that the Arctic coastal states would play a special role in the enforcement of internationally agreed standards of navigation safety and pollution control in areas adjacent to their coasts.

Soviet Position

5. The Soviet Government has informed the USA (in a Note dated June 11) that it does not agree that anti-pollution measures for Arctic waters could only be implemented on the basis of multilateral agreement, and has expressed the view that the Canadian Arctic pollution measures were not unusual and did not justify the convocation of an international conference. Talks with Soviet officials have been held through the USSR Embassy in Ottawa and the Canadian Embassy in Moscow. In light of the measure of agreement reached between Canada and the USA on June 16, these talks were followed up by the Legislative Assistant to the Prime Minister and the Head of the Legal Division of External Affairs who visited Moscow on June 24 and 25 to hold consultations with the Soviet authorities concerning the Canadian Arctic waters legislation and the modified Arctic conference proposal. It was made clear to the USSR that while Canada could not participate in the kind of conference originally proposed by the USA, the type of conference which was contemplated by Canada was a new and different initiative which presented a different range of issues. The conference proposal now under discussion with the USA involved different terms of reference, different participants, a different site, a different host, different timing, and generally different basic thinking underlying the proposal. The Canadian representatives also outlined the points on which Canada and the USA had been able to achieve agreement and those on which agreement had not yet been reached and which remained unsettled.

6. As a result of these consultations with the USSR, the Soviet position on the proposed conference appeared to move from extreme scepticism and almost outright opposition to a willingness to consider the possibility of participating in such a conference. The Soviets, however, remained extremely cautious and would require further convincing, and it is by no means clear that they can be so persuaded. The agreed conclusions which emerged from the consultations with the USSR were as follows:

- (i) Canada and the USSR have a common approach to the concept of the preferential rights of coastal states in the Arctic and hope that this concept will receive general recognition.

- (ii) Various Arctic regions differ from one another in geographical, climatic and other terms and there can be no single general regime for all these regions.
- (iii) In the view of the USSR it is not possible to guarantee that an international conference would limit itself only to purely technical questions of navigation safety and pollution control in Arctic waters.
- (iv) The expediency of convening a conference depends mainly on whether other states will support the concept of preferential rights for Arctic states or at least will not undermine these rights. Soviet experts doubt that such a result could be reached at a conference, while Canadian experts also see certain difficulties in this approach but treat the problem with more optimism.
- (v) Both sides agreed that their views could be more exactly defined upon the basis of a concrete text of a draft treaty (since prepared by Canada but not yet shown to the USSR).

Positions of Other States

7. In general the other countries originally approached by the USA concerning an Arctic conference have adopted a cautious attitude and displayed reluctance to be used in any "ganging up" effort against Canada. While almost every country has expressed sympathy with the purposes of the Canadian legislation, only the USSR and Sweden have refrained from questioning its legality on grounds of its unilateral nature. (While the initial Norwegian position was very sympathetic, Norway's final position is not yet known.) Most of these countries have agreed that the proposed conference should deal only with navigation safety and pollution control in Arctic waters. Finland's position has been basically sympathetic but has reflected a desire not to be caught in any possible conflict between Canada and the USA. Denmark's position has tended to be negative but not entirely so. Among the other countries concerned, both Britain and Japan have objected to the Arctic waters legislation but Britain has indicated to the USA that it would only attend an Arctic conference if Canada were willing to take part, whereas Japan has not expressed its views on this question. Belgium and the Netherlands have taken highly negative positions. Greece has expressed its preference that no conference be held at all or that one be held far in the future. France has expressed concern over the prejudicial effect of the unilateral action taken by Canada. Italy has been careful not to become involved in what it regards as a problem between Canada and the USA. Spain believes that the questions raised by the Canadian legislation should be dealt with by a full-fledged UN conference.

Progress on Canadian Regulations

8. At the time of introducing the Arctic waters pollution legislation the Government announced its intention of consulting with other interested states before promulgating regulations under this statute. It has also been agreed in the bilateral consultations with the USA that draft Canadian regulations (which would form the basis for the Canadian position regarding the international standards to be agreed upon at the proposed conference) would be discussed with technical experts in other countries at the earliest possible date in advance of the conference. The drafting of the Canadian regulations has proceeded as a matter of urgency and comprehensive regulations are nearing completion concerning: the establishment of shipping safety control zones; the design, construction, equipment and manning standards for vessels operating in Arctic waters; the disposal of wastes in Arctic waters; the limitation of liability for pollution damages; and the provision of evidence of financial responsibility. These regulations are to be submitted for preliminary consideration by the Advisory Committee on Northern Development during the week of July 27, after which expert level consultations will be initiated with a selected group of other countries.

US Draft Treaty

9. During the continental shelf boundary discussions held with the USA in Washington on July 9, Canadian officials were given an opportunity, on a personal basis, to read (but not to take away) a draft treaty prepared by the USA for consideration and possible adoption at the proposed Arctic conference. Subsequently, on July 15 a copy of the US draft treaty was officially transmitted to the Canadian Embassy in Washington. On July 20, however, the State Department requested that Canada defer examination of this text since it was only a "working" draft and had been given to the Embassy in error. The State Department explained that it hoped to provide Canada with the "real" draft treaty by July 24; the basic concepts of that draft would be the same as those contained in the working draft provided to Canada in error with the exception that certain provisions which Canada would find difficult to accept would be deleted. In the circumstances, a final evaluation of the US position on the substance of the proposed conference must await receipt of the new US draft treaty. Nevertheless, it is significant that the conceptual approach of the US working draft is as follows:

- (i) The treaty would apply not only to pollution arising from shipping in the Arctic waters but also to pollution arising from exploration and exploitation of the seabed underlying those waters (contrary to the understanding reached with the USA).
- (ii) The whole of the Arctic waters lying north of the 60th parallel would be divided for the purposes of the treaty into three zones, with Zone A comprising the area north of Alaska, Canada and Greenland; Zone B comprising the area north of the Scandinavian countries; and Zone C comprising the area north of the USSR.
- (iii) A Zonal Advisory Panel would be established for each of these areas consisting of the countries adjacent to the area concerned (i.e. Canada, the USA and Denmark in one Panel, and the USSR alone in another Panel); the Zonal Advisory Panels would be given broad regulatory powers on pollution matters, with all decisions to be reached by unanimity and virtually all decisions to be subject to confirmation by a proposed Arctic Commission.
- (iv) The treaty would establish an Arctic Commission, the membership of which would include contracting parties having territory in the Arctic or whose nationals or vessels normally navigate, fish or conduct substantial commercial activities in the Arctic; thus the Commission's membership would be open-ended, with the clear possibility of shipping states outnumbering Arctic states.
- (v) The powers of the Commission would include the promulgation, amendment and enforcement of Arctic navigation and pollution regulations in accordance with the treaty; the decisions of the Commission would be binding and would be reached by a two-thirds majority of the Commission members present and voting.
- (vi) References to the Commission in the working draft are almost invariably followed by the phrase "or its designee", leaving open the possibility that Canada, for example, could be the designee of the Commission for the purpose of making and enforcing regulations for the Canadian area.
- (vii) Each contracting party would be competent to proceed against its own nationals in its own courts for violations of the treaty prohibitions; members of the Zonal Advisory Panels would have the power of arresting nationals or vessels of other Contracting Parties, but such arrests and subsequent action would be undertaken only in accordance with undefined special arrangements to be concluded between the Arctic Commission and the members of the Zonal Advisory Panels.

Canadian Draft Treaty

10. State Department officials have been informed (on a private and unofficial basis since the US draft treaty had not officially been seen by Canada) that the US draft was so far removed from the Canadian approach to the problem that it would not provide a useful basis for discussion, and that for this reason Canada was working on a draft treaty of its own. The Department of External Affairs has since completed the first draft of a treaty reflecting the Canadian position and the kind of international arrangements which would be compatible with the Arctic waters pollution legislation. The draft at present is in the form of a working paper which will in due course be processed through the Advisory Committee on Northern Development. The basic approach of this draft is to establish an international legal umbrella under which the Arctic coastal states could establish their own systems of navigation safety and pollution control in the Arctic waters adjacent to their coasts, while leaving it open to other states to consider that they had agreed to a delegation of authority to the Arctic coastal states. (A summary of the provisions of the Canadian draft is given in Annex C).

USA - USSR Consultations

11. In light of the similarity of the Canadian and Soviet positions and the fact that the USSR has acquiesced in the Arctic waters pollution legislation while the USA is strongly opposed to it, the Canadian position as between USA and the USSR is one of considerable delicacy. To avoid possible accusations of bad faith against Canada by either of the major powers, Canada has been anxious for the two countries to enter into direct bilateral consultations concerning the proposed conference and the question of Soviet participation and cosponsorship. Such consultations were held in Moscow on July 20, prior to which Canada advised the USA that if it showed any draft treaty to the USSR it should avoid giving any impression that the draft was in any way the result of Canada-USA discussions. While the results of these consultations between the USA and USSR are not yet known to Canada, it is hoped that they may provide some clearer indication as to the USSR's willingness to participate in the proposed conference.

ANNEX B

TENTATIVE AGENDA OF PROPOSED ARCTIC CONFERENCE AS AGREED
BETWEEN CANADA AND USA IN INFORMAL DISCUSSIONS

1. Area of Application
2. Scope of Regime: Preventative Measures
 - (a) Consideration of objectives, criteria and standards
 - (b) Regional and seasonal variations
3. Vessel Construction and operating standards
4. Navigational Aids
5. Navigation Channels
6. Financial Responsibility: Insurance and Guarantees
7. Clean-up and Ecological Restoration
8. Contingency Plans and Emergency Action
9. Liability
10. Appropriate Regulatory Authority and Enforcement, Including Possible International Machinery
11. Legal Consequences of Non-Compliance
12. Cost Sharing by Parties of Treaty Activities
13. Final Clauses

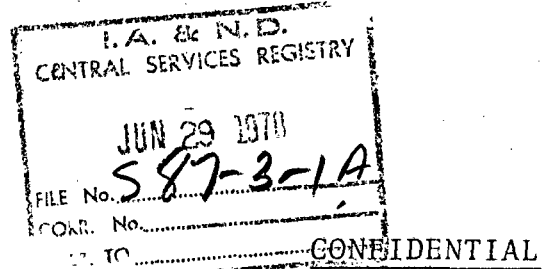
(Square brackets in items 3 and 10 are additions suggested by the USA subsequent to the informal agreement with Canada.)

ANNEX C

SUMMARY OF CANADIAN DRAFT TREATY WORKING PAPER

(Not yet cleared through Advisory Committee on
Northern Development)

- (i) The draft defines pollution in the same terms used in the Arctic Waters Pollution Prevention Act; the Canadian proposal, however, is for a treaty which would apply only to pollution from shipping and not to pollution arising from exploration or exploitation of the seabed.
- (ii) The proposed treaty would be without prejudice to jurisdictional or sovereignty claims, the recognition or non-recognition of such claims, and the powers of any contracting party to take measures within its jurisdiction in respect of any matter to which the treaty relates.
- (iii) For the purposes of the treaty the whole of the Arctic waters north of the 60th parallel would be divided into separate zones, with each circum-Arctic state having its own zone.
- (iv) Within the limits of its zone each circum-Arctic state would prescribe regulations on the basis of agreed standards, conditions, procedures and other provisions to be established by the treaty. (These agreed standards would be based on the regulations to be promulgated by Canada under the Arctic Waters Pollution Prevention Act, with such modifications as would be required to make the Canadian regulations generally applicable. Provision would be made for the circum-Arctic states to vary these standards within certain defined limits in order to take into account seasonal, climatic and regional variations.)
- (v) Each contracting party would prohibit ships registered under its laws or flying its flag from discharging any pollutant in any zone established under the treaty or from navigating in any such zone, except in compliance with the regulations prescribed by the circum-Arctic state concerned.
- (vi) The contracting parties would delegate to each circum-Arctic state the power to enforce within its zone the regulations prescribed by the circum-Arctic state concerned. With regard to warships and government-owned ships on non-commercial service, however, the power of enforcement would not be governed by the treaty, as it is considered that states would not be prepared to delegate their powers in respect of such vessels.
- (vii) The treaty would establish an Intergovernmental Consultative Organization for Arctic Navigation whose membership would consist of the circum-Arctic states and three other members elected by the circum-Arctic states from other contracting parties whose nationals or ships normally navigate, fish or conduct other substantial commercial activity in Arctic waters.
- (viii) The powers of the proposed Organization would be consultative and advisory. In particular, the Organization would be empowered to approve or disapprove proposals for the revision or amendment of the agreed navigation safety and pollution control standards established by the treaty, provided that all such revisions or amendments were concurred in by each circum-Arctic state concerned. The circum-Arctic states would be entitled to revise or amend regulations prescribed by them even when such revisions or amendments were objected to by other contracting parties;
in the event of an objection by another contracting party, however, the revision or amendment introduced by the circum-Arctic state concerned would not be binding on the objecting state and the respective rights of that state and the circum-Arctic state in question, with regard to such revision or amendment, would be limited to such rights as exist independently of the treaty.



ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 78th meeting of the Committee will be held on Tuesday, June 23rd, at 2:30 p.m. in the Conference Room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

AGENDA

I. National Objectives for Northern Canada

(Secretary's Memorandum ND-488 distributed 19 June 1970)

IF TIME PERMITS

- II. Report on U.S./Canada meeting of 16th June.
- III. Progress report on working group drawing up regulations to Arctic Water Pollution Act.
- IV. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.

June 22, 1970. X

Substitute for Previous Notice

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

NOTICE OF MEETING

A meeting of the Advisory Committee on Northern Development will be held at 2:30 p.m., Tuesday, 23rd June, 1970, in the 14th floor Conference Room of the Department of Indian Affairs and Northern Development, Centennial Tower, 400 Laurier Avenue West, Ottawa 4, Ontario.

The Agenda will include:-

1. National Objectives for Northern Canada
2. Report on Canada/U.S. discussions, 16 June, 1970.
3. Report on progress (Working Group on Arctic Waters Pollution Act).

CONFIDENTIAL

DOCUMENT - ND-488

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

NATIONAL OBJECTIVES FOR NORTHERN CANADA

The Cabinet Committee on Science Policy and Technology met on June 5, 1970, and agreed that:

- (a) "the Advisory Committee on Northern Development submit, within two weeks, to the Cabinet Committee on Science Policy and Technology, a brief outlining the objectives for development of the North in sufficient detail that conflicting goals may be identified and priority may be established;"

Attached is a position paper prepared by the Economic Staff Group of the Department of Indian Affairs and Northern Development for discussion purposes. As requested by the Cabinet sub committee, a brief will be submitted, incorporating the consensus opinions of the Advisory Committee on Northern Development.

The Cabinet Committee further agreed:

- (b) "the Advisory Committee on Northern Development, through its sub-committee on Science and Technology in the Arctic, submit to the Cabinet Committee on Science Policy and Technology an inter-departmental program for research in the Arctic and sub-Arctic related to the goals and priorities established under (a) as quickly as possible. The resulting research program approved in the principle to be resubmitted to the Committee in October, 1970, for consideration of the financial and manpower implications of such a program;

- 2 -

- (c) bilateral discussions should continue with United States scientists, and with experts in other countries when co-operative activity would be of benefit to Canada and its development of Arctic research;
- (d) an international conference on problems of the Arctic environment be held in Canada in the spring of 1971. The conference agenda should comprise a series of themes related to Arctic activities but of particular concern to Canada. Invitations to national experts should be issued as quickly as practicable following approval of the conference agenda by the Cabinet Committee on Science Policy and Technology."

L.A.C.O. Hunt,
Secretary.

DEPARTMENT OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT

June 20, 1970.

CONFIDENTIAL

APPENDIX TO
DOCUMENT - ND 488

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

POSITION PAPER

OBJECTIVES FOR THE DEVELOPMENT OF THE CANADIAN NORTH

The development of Canada's northern territories may be examined in terms of the needs and aspirations of the territories as one of a number of Canadian regions. As established by statute, the Federal Government has a responsibility for the regional development of the territories which, in many respects, is similar to the responsibilities of provincial governments. The obligations which derive from this are administered by the Northern Program of the Department of Indian Affairs and Northern Development under objectives which are mainly, although not exclusively, appropriate to regional development and the conduct of provincial-type programs (Appendix I).

Northern development may also be examined from the point of view of the nation as a whole. Although the northern territories have their own regional economic, social and political requirements, they are unlike the provinces in some important respects. While their area is very large, comprising 40 per cent of the Canadian land mass, their population is less than half that of the smallest province, Prince Edward Island. They are presently incapable of meeting more than a small proportion of the fiscal needs arising out of programs under the authority of the two Territorial governments and are not able to fund the outlays on infrastructure which development requires, and may increasingly require, in future. The development of the territories will, therefore, continue to be strongly dependent on the resources of the rest of Canada for an indefinite future period.

Yet Canada, taken as a whole, is also dependent in its various parts. Because of their enormous size, potential wealth, and physical diversity, the northern territories should be able to make a substantial and varied contribution to the further development of the Canadian nation. This paper is concerned with the nature of this contribution.

It does not deal with this in depth and detail, however. Its purpose is a more general one of putting forward objectives which might be used as a framework for planning policies and programs toward northern development. The objectives which

are proposed reflect several of the main areas of concern which currently confront the Federal Government and the Canadian people -- economic growth and stability; social justice; political, economic and cultural sovereignty; the preservation of the environment; and the need to provide future generations with wilderness and recreational areas as alternatives to increasing urban concentration.

In being proposed by the Advisory Committee on Northern Development, the objectives reflect the views of departments and agencies which are both active in the North and responsible for broad policies and programs throughout Canada.

NATIONAL OBJECTIVES FOR THE NORTH

The proposed objectives are put forward in recognition that modifications will be required upon further discussion and reflection. Their order of presentation does not mean to imply that they are ranked in any order of longer term importance, although some suggestions concerning present priorities are made in a following section. The more general question of the priority which should be given to northern development in comparison with other national issues also remains in abeyance. This complex and difficult question will have to be resolved in a context other than the ACND.

The proposed objectives in no way conflict with the more limited objectives and sub-objectives for the regional development of the northern territories which are listed in Appendix I. Indeed, the objectives of the Northern Program, IAND, derive logically from the national objectives.

The following national objectives are, therefore, put forward for consideration:

Objective 1: To ensure that the potential contribution of the northern territories to Gross National Product, the Balance of Payments, and the economic welfare of all Canadians is realized.

Objective 2: To provide for a higher standard of living, quality of life, and equality of opportunity for northern residents by methods which are compatible with their own preferences and aspirations.

on a self-sustaining basis

Objective 3: To ensure that the benefits of northern development accrue to the people of Canada through safeguarding Canadian political and economic sovereignty in the North.

Objective 4: To ensure that the northern ecosystem is protected from undue damage and that the unique ecological features of the North are transferred to future generations.

Objective 5: To ensure that suitable regions of the northern territories are set aside for leisure and recreational purposes, and the enjoyment of present and future generations of Canadians.

It would seem appropriate to explain briefly some of the reasoning underlying the proposed objectives, and to give some indication of the present status of policies and programs toward achieving them.

Objective 1 relating to economic growth, addresses itself to the enormous resource potential of the northern territories, and their capacity to contribute positively to national output. To the present, except for isolated instances, the public returns from investment in northern resource development have been low, even though private returns have, generally, been comparable to returns realized from similar ventures in the provinces. With current widespread oil exploration, and developments in mining and other resource sectors, there is reason for optimism that public investment in northern resource activity will yield a substantial social return in future.

In suggesting that the growth of the northern economy should be based mainly on resource industries, the danger of creating too great a dependence on export oriented primary sectors is recognized. Attention must be given, therefore, not only to raising physical output, but to diversifying northern activity so that growth becomes stable, sustained, and increasingly self-generating.

During the past two decades, many policies and programs have been implemented toward achieving economic growth and diversification in the northern territories. Progress has been impressive in the development of industrial infrastructure and the level of production attained to date. In 1950, with the exception of the Alaska Highway, originally built for military purposes, the crude beginnings of the Mackenzie Highway, and a few portage roads, there were virtually no roads in the territories. By 1968, a network of good quality roads had been developed in the southern parts of the Yukon and Northwest Territories. A major railroad now links Great Slave Lake, and the Mackenzie waterway, with the south. There has also been progress in man's knowledge of the physical aspects of the North in areas such as climate and geology. As one example,

reconnaissance scale mapping of the bedrock geology of the northern territories is now virtually complete. Activity in the private sector has responded positively to the ground-work laid by public investment. In mining, the combined output of the two territories in 1959 was valued at \$37 million. By 1960, this had increased to \$145 million. In oil and natural gas, large regions of the Arctic and the Mackenzie Valley are now under exploration, and it is anticipated that exciting discoveries will be made.

Objective 2 relating to social needs, is put forward in the light of socio-economic justice considerations which are in the forefront of present political concern. Residents of the northern territories, particularly the Indians, Eskimos and Métis, comprise one of Canada's poorest minority groups. The reasons underlying this are complex and varied, but generally, this poverty is coincidental with few employment opportunities other than seasonal or casual work, and a high incidence of under-education, poor health, and low regional and occupational mobility. The North still presents something of an opportunity to ensure that past errors in dealing with indigenous people elsewhere in Canada are not repeated.

Much of the government effort in the North during the past two decades has focussed on the social development of the indigenous people. While many problems persist, and will not be easily resolved, programs pursued have resulted in progress which, in some respects, borders on the remarkable. In 1950, the great majority of the North's indigenous people lived in skin tents, igloos and shacks. Today, almost all enjoy housing not too dissimilar from that of other Canadians. Much of the educational infrastructure of the northern territories is now in place. In 1950, only a small proportion of the school age population was attending school, but enrolment is now virtually 100 per cent. Programs have also been devised in the fields of vocational, special and adult education, and toward raising the level of employment among northern residents. Looking to the future, the Federal Government has set itself a goal of filling 75 per cent of its positions in the territories with northern residents by 1977, and the territorial governments are pursuing similar policies. A growing number of agreements have been made with industry specifying that private companies active in the North should recruit indigenous employees.

Objective 2 might also be viewed as relating to the need to establish more effective political structures throughout Canada. While all Canadians should regard themselves as being part of a federal structure, the residents of each region should have political and social institutions which, in some measure, enable them to regulate the quality of their local life effectively.

The continued evolution of administrative and fiscal responsibilities in the northern territories, though falling most directly within the regional responsibilities of the Department of Indian Affairs and Northern Development, must also be of broader national concern.

Recent years have witnessed considerable progress toward the establishment of more responsible government at the regional level in the Yukon and Northwest Territories. Direct responsibility for many programs operative in the Northwest Territories has been transferred from Ottawa to Yellowknife, the new territorial capital. Very generally, the governments of both territories have now direct responsibility over social programs, game resources, and industries such as tourism. The major resources, minerals, waters, lands and forests, remain the direct responsibility of the Federal Government. Within this division of responsibilities, steps are taken to raise the level of territorial self-determination whenever it appears reasonable to do so. At the present time, for example, an Executive Committee concept on which elected members of the Territorial Council will be represented is being introduced in the Yukon. In the Northwest Territories, the number of elected representatives in the Territorial Council is being increased, while the number of appointed representatives is being reduced.

Objective 3 related to sovereignty, derives from growing national opinion that Canadian economic and cultural institutions, and perhaps ultimately, political institutions, should not be dominated by foreign interests. The objective should not be viewed as "anti-American" or as directed against any other national group. It is intended positively, and as suggesting that Canadians have the only rightful claim to the northern territories. Activity by non-nationals should be welcomed in the North as long as it abides by Canadian legislative and regulatory requirements. As a corollary, the objective requires that guidelines and regulations which will bear on the behaviour of non-national activity are firmly established.

Much attention has recently been given to issues bearing on sovereignty, but policies and programs in this area require further clarification. The proposed Canada Development Corporation, through supporting further public-private northern ventures such as Panarctic Oils may provide a vehicle for the assertion of economic sovereignty. Legislation such as the Arctic Seas Pollution Act, although relating more directly to conservation and other issues, may have some bearing on sovereignty as well. Increasing the presence of the Department of National Defence in the northern territories

offers another possible line of approach. In giving further consideration to the sovereignty question, it should be remembered that there are probably few issues which would better serve to strengthen and hold national unity than preventing the domination of the Arctic by a foreign power.

Objective 4 relating to environmental preservation, derives from the growing concern that the unique Canadian natural heritage could become irretrievably lost. There is a growing conviction, particularly among younger Canadians that a herd of musk-oxen or a stand of boreal forest can be of greater and more lasting value than the scrape of a bulldozer blade or the whine of a sawmill. Quite apart from such broad and perhaps metaphysical considerations, there is at least some body of opinion among scientists that the northern ecosystem is one of delicate natural checks and balances, and that even small industrial processes, which appear innocent enough in themselves, can often have disastrous effects.

Increasing attention is now being given to the impact of industrial activity on the northern environment. Northern Land Use Regulations and legislation concerning pollution avoidance in the Arctic seas have been drafted and are before Parliament for consideration. A comprehensive mission-oriented research program dealing with northern land use problems has been devised in support of the Land Use Regulations. In general, this action, and other steps which will be taken as the need arises, should ensure that both economic development and conservation can proceed harmoniously in the northern territories, and that organizations undertaking development programs do not burden the country with undue social costs.

Objective 5 relating to leisure and recreation addresses itself more to the future than the present. Secular demographic and social trends suggest a future world of increasing urbanization and human compaction, and deriving from this, growing tension and friction. What the objective proposes, in essence, is that parts of the North might be useful as something of a "safety valve". It is probable that there will be a continued high rate of technological advance in mass transport, and a continuing decrease in the relative real transport costs. One can, therefore, visualize a situation in which northern areas are increasingly accessible to populations resident in the "megapolises" which Montreal, Toronto, Vancouver, and perhaps other Canadian cities may become. It is not being suggested that the North should, or ever will, become "Canada's outdoor playground", but merely that some thought will have to be given to the recreational and tension relieving roles which the region might play.

Some attention has already been given to possible recreational uses of the northern territories. Proposals for northern national parks are under review, but to date only a few areas which might be of recreational interest have been seriously examined.

PRIORITIES

Each of the objectives proposed in the foregoing section are important and require implementation through the formulation or continuation of appropriate policies and program. However, the objectives are not fully compatible with each other, and there is, therefore, a question of which among them might be accorded some measure of priority at the present time.

Realizing any of the objectives without due attention to the others, could have undesirable results. For example, Objective 1, relating to economic growth, could perhaps be maximized by encouraging a high rate of investment in capital-using extractive industries, such as oil and natural gas, and mining. However, without the constraints imposed by the other objectives, this could lead to few employment opportunities for northern residents, excessive and perhaps irreparable damage to the environment, and, assuming a high proportion of foreign investment, an erosion of sovereignty.

Concentrating on Objective 4, relating to the preservation of the environment, at the exclusion of the others, could have similarly undesirable results. Such a course of action, or perhaps better, "inaction", would provide few job opportunities for the growing northern labour force, and little return to the nation from capital already in place in the North. It could also have undesirable implications for sovereignty. The absence of Canadian activity in the North could be interpreted by other nations as misuse of potentially valuable resources, and might tempt them to put these resources to uses of their own.

Further demonstration of the disadvantages of pursuing individual objectives at the exclusion of the others would not seem necessary. The point at issue is that some mixture of policies and programs falling under each objective should be pursued simultaneously. This implies a complex optimization process with appropriate "trade-offs" among the various objectives. A primary constraint to this process as a whole is the budgetary limitation that only some proportion of the nation's and government's resources can be used for northern development. In addition, however, each objective must be viewed as being constrained by the need to carry forward all of the others.

Nevertheless, somewhat greater current emphasis might be given to some objectives than others in view of the relative urgency of problems arising out of northern development. Right now, the major need of the North would seem to be the creation of a viable economic base. This can be achieved only by pushing forward the programs bearing on the development of the region's natural resources. The creation of a viable northern economy, under Canadian control, will have a considerable bearing on how rapidly the people of the North are able to achieve a higher standard of living, and on how effectively sovereignty can be maintained. However, in giving comparatively greater emphasis to objectives relating to economic growth, social development, and sovereignty, the need to pursue the other objectives as well must not be overlooked.

POLICY AND PROGRAM IMPLEMENTATION

There remains the practical question of how specific policies and programs toward meeting the proposed objectives should be formulated and implemented. It was demonstrated that a range of policies and programs which fall under objectives concerned with economic growth and social issues have been carried forward for some time. Moreover, the development of policies and programs toward objectives relating to the environment, sovereignty, and leisure and recreation is underway.

Yet, there is a possibility that problem areas requiring program action may not always be properly identified, and that some objectives will be given undue emphasis at the expense of others. To avoid this, it would seem important that a broadly representative planning and co-ordinating structure, responsible to Cabinet, become firmly established within the Federal Government.

The ACND has recently given considerable thought to the nature, organization, and functions of such a structure. The consensus among member departments is that modifications to the organization and role of the ACND itself would fulfill the requirement. Proposals concerning this, and related measures bearing on policies and programs toward achieving northern development are to be placed before Cabinet for consideration in the near future.

Appendix I to
Document ND 488

NORTHERN DEVELOPMENT PROGRAM - IAND

Objective

To advance the social, economic and political development of the Yukon and Northwest Territories and to co-ordinate the activities of federal departments and agencies in the Territories.

Sub-Objectives

1. To further the evolution of government in the Territories, including the development of administrative capabilities and financial resources to provide, or to assist in providing, normal provincial-type services to all northern residents.
2. To bring about economic expansion and social adjustment within regions of the Territories; to develop and manage the natural resources in the Territories with minimum ecological disturbance; to improve opportunities for the productive employment of northern residents and to contribute to the general economic growth of Canada.
3. To provide, or to assist in providing, suitable industry, community and inter-community infrastructure, including transportation facilities, in the Territories.
4. To assist in the provision of suitable social services including schooling, manpower retraining and cultural development opportunities to northern residents and to provide appropriate enriched social services to disadvantaged northern residents.
5. To provide a forum for the review of all existing and planned federal activities in the Territories and to advise the government on the possible impact of these activities on the social, economic and political development of the Territories.

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-seventh meeting of the Committee was held on Monday, May 25, 1970 at 2:30 p.m. in the 15th floor Board Room, Centennial Tower Bldg., 400 Laurier Avenue West.

PRESENT:

Mr. H.B. Robinson, Deputy Minister, Indian Affairs and Northern Development (Chairman)

Mr. J.A. Beesley, Department of External Affairs
Mr. P.A. Bissonette, Department of External Affairs
LGen M.R. Dare, Department of National Defence
Dr. W.H. Frost, Department of National Health and Welfare
Dr. J.M. Harrison, Department of Energy, Mines and Resources
C/Supt. A. Huget, Royal Canadian Mounted Police
Dr. J.D. Keys, Treasury Board
Mr. L.H. Legault, Department of External Affairs
Col K.W. Macdonald, Department of National Defence
Dr. A.M. Pennie, Defence Research Board
Mr. J.M. Shoemaker, Privy Council Office
Dr. R.J. Uffen, Prime Minister's Office
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern Development
Brig R.M. Withers, Department of National Defence
Mr. C.C. Hitsman, Department of Indian Affairs and Northern Development

Mr. L.A.O.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

I. PROPOSED INTERNATIONAL CONFERENCE ON ARCTIC PROBLEMS

The following documents were distributed at the meeting:

1. Message from External to Prime Minister - outlining discussions on this subject at the 76th meeting of the A.C.N.D.
2. Editorial reactions to pollution from U.S. Newspapers - Message of May 15, 1970.
3. Government reactions - U.S.S.R. - Message May 15, 1970.
4. Message from Washington (Beesley) concerning new proposals for multilateral conference - Message May 21, 1970. No. 1528.
5. Government reactions - Greek, Message May 21, 1970.
6. Government reactions - Norwegian, Message May 21, 1970.
7. Government reactions - Swedish, Message May 21, 1970.

The Chairman opened the meeting, which had been requested at short notice, to consider the results of the bilateral discussions with the U.S.A. in Washington on May 20, and the further communication from Washington (No. 1528) reporting on these discussions, and to consider the next phase of the negotiations.

The Chairman asked Mr. Beesley to give his views on these discussions. Mr. Beesley stressed the need for Canada to proceed as quickly as possible with the drafting of the regulations to be promulgated under the Arctic Waters Pollution Act, in order to facilitate further discussions with the U.S. concerning the proposed Arctic conference; he pointed out that these regulations would serve as a basis for the Canadian position at the proposed conference, as well as being required for the guidance of the Canadian side in the bilateral discussions with the U.S.A.

At a question from the Chairman, the working group to consider the regulations under the Act was to meet as quickly as possible. The delay was caused through departments failing to nominate representatives. It was also noted that the regulations would not be effective until the summer of 1971, but the importance of promulgating them as soon as possible following passage of the legislation was recognized.

Representatives from other departments expressed concern over the fact that bilateral discussions with the U.S.A. were proceeding before the drafting of the Canadian regulations had been completed, and expressed the view that the drafting of the regulations would require a considerable period of time. It was argued that Canada

- 3 -

could justify any delay in drafting the regulations in light of the fact that they could not be promulgated in time to come into effect during the present Arctic shipping season. It was also suggested that (a) the proposed discussions with the U.S.A. in June should not take up the substance of Canada's regulations but rather should be directed simply to the types of questions to be covered by the regulations, and (b) the drafting of the regulations might only be completed in time to allow bilateral discussions with the U.S.A. in the fall.

Mr. Beesley pointed out that the Canadian proposal approved by the Prime Minister (message attached) called for an experts' conference of a number of states rather than informal bilateral discussions to be held in the fall. He also underlined that the U.S.A. may wish to show the Canadian side a draft treaty on Arctic pollution and navigation safety during the proposed June discussions, and we would not wish to appear not to be ready in the light of the urgency we had attached to the legislation.

Dr. Uffen suggested that Canada should not be rushed into considering treaty language and said that his purpose in proposing an experts' conference on the Arctic to be held in the fall rather than in June had been to buy time for Canada.

Mr. Shoemaker stressed his view that in holding bilateral discussions with the U.S.A. the Canadian side must not do anything that appears to prejudice the Arctic Waters Bill.

Mr. Beesley reminded the meeting that the U.S.A. has implied that Canada had been precipitous in introducing the Arctic Waters Bill and that it was difficult for Canada on the one hand to stress the urgency of the situation while on the other hand maintaining that the Canadian Government was not yet ready to talk about the substance of regulations for navigation safety and pollution control in Arctic waters. He said that while it was obvious that Canada could not commit itself to any treaty language in discussions with the U.S.A. and should avoid any drafting exercises, there could be some advantage in looking at treaty language which may have been drafted by the U.S.A. He also pointed out that such discussions with the Americans need not create difficulties vis-à-vis other countries which might participate in the conference, since the U.S.A. had agreed not to inform such other countries of the bilateral discussions taking place with Canada, and Canada would in any event continue to make clear that the Arctic legislation would go ahead as planned.

Dr. Harrison confirmed that in the report to the Cabinet on the conclusions reached at the Montebello Conference, that a recommendation for a further conference was included. Countries from the circumpolar area would be invited. This conference could also consider on its agenda the scientific problems arising in connection with the potential pollution of Arctic waters.

.. 4

Dr. Uffen suggested that two types of meetings might be held in June, perhaps simultaneously: at the first of these meetings Canada could look at any treaty language proposed by the U.S.A., while the second possible meeting would consist of a preliminary meeting of experts in preparation for the fall conference.

The discussions then turned, at the Chairman's request, to a point-by-point review of Mr. Beesley's report on his discussions with the Legal Adviser of the State Department on May 20 as set out in Washington telegram 1528 of May 21. The highlights of this discussion were as follows:

(a) Joint Bilateral Discussions

Mr. Beesley said that there was no firm commitment to proceeding with further bilateral discussions with the U.S.A. early in June. It was agreed that an attempt be made to postpone the discussion by one or two weeks to give the Canadian side more time to prepare. As to the possibility of discussing draft treaty language in bilateral talks with the U.S.A. in June, it was agreed after some discussion that while Canada could not commit itself to any treaty language or take part in drafting such language, it would be in order for the Canadian side to look at any language proposed by the U.S.A. since this would "flush out" the U.S.A. position and assist Canada in preparing its own position.

(b) Terms of Reference of Multilateral Conference

There was considerable discussion with respect to the agreement which has been reached between Canada and the U.S.A. to the effect that both countries are prepared to consider the application, by agreement, of internationally agreed standards of pollution control and navigation safety to Arctic waters both within the beyond the limits of national jurisdiction. Mr. Shoemaker expressed concern with respect to possible dangers which this formula might present for Canada. Mr. Beesley pointed out that it was only in this way that Canada and the U.S.A. could avoid discussion of the jurisdictional issue on which Canada was not prepared to compromise. What must be avoided at all costs is having Canada put in a position of defending its jurisdictional claims at such a conference, which would follow from an attempt to limit the proposed regime to the area beyond national jurisdiction. He also underlined the fact that the Canadian position would be protected by the consensus procedure to be followed at the proposed Arctic conference in keeping with the understanding reached with the U.S.A.; procedure by consensus meant in effect that Canada (and the U.S.A. as well) would have a right of veto over any decisions to be taken at the conference. It was agreed that no change be made in the Canadian position on these points as put forth by Mr. Beesley in Washington.

(c) Nature of Conference

Dr. Uffen and Mr. Shoemaker questioned the inclusion of representation at the political level. Mr. Beesley pointed out that the decision to leave open the possibility of political representation at the proposed experts' conference had been made by the Prime Minister (as set out in a message from the Prime Minister to Mr. Sharp in Canberra telegram 739 of May 16). Mr. Beesley explained that it was not yet clear whether such political representation would involve ministerial participation in the conference. It was agreed that no change be made in the Canadian position on this point as put forth by Mr. Beesley in Washington.

(d) Conference Participants

Mr. Beesley explained that Canada's suggestion that the conference (as originally envisaged by the U.S.A.) might be broadened to include representation from Latin American states was intended to make the U.S.A. aware that we were not prepared to have our claims discussed in an unfriendly forum. He pointed out that the bilateral discussions with the U.S.A. had left open the possibility of participation of observers from countries expressing an interest in the Arctic conference. It was agreed to stick to this position for the time being, and invite no other states until a later stage in the bilateral discussions.

(e) Follow-up Conference

Canadian side proposed and it was confirmed by aide-memoire that second follow-up conference could take place if necessary. However, the Committee was of the opinion that the scientific questions might be dealt with by a separate scientific conference, such as recommended at Montebello. This should be discussed bilaterally in June.

(f) Time of Conference

Mr. Beesley pointed out that the Prime Minister's message to Mr. Sharp had indicated that the best time to hold the proposed experts' conference in Canada would be the last week in September or the first half of October. He referred again to the need to complete the drafting of Canadian regulations well before these dates, and suggested that an effort should be made to have the drafting of the regulations well in hand before the return of the Prime Minister's party from the Pacific. (It was noted that most of the countries approached by the U.S.A. appeared to agree that the conference timing proposed by the U.S.A. was unrealistic.) It was agreed that the regulations would be pressed forward as a matter of urgency, and that the September-October dates would have to be met.

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Questions were raised as to whether Canada should be a co-sponsor rather than sole sponsor of the proposed experts' conference. In this connection it was pointed out that the Prime Minister's message to Mr. Sharp had indicated that the Canadian Government would be happy to have others join it in sponsoring this conference.

(h) Conference Decision-Making

This item was discussed in connection with the possibility that internationally agreed standards of pollution control and navigation safety might be made applicable, by agreement, to Arctic waters both within and beyond national jurisdiction, in which context it was pointed out by Mr. Beesley that the consensus procedure (as understood in the United Nations) would protect Canada's jurisdictional position.

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Questions were raised concerning the preference expressed by the U.S.A. to have the area of application of the proposed Arctic treaty "coincide" with the area affected by Canada's Arctic waters legislation. The point was made that obvious difficulties would be created for Canada if the proposed conference were to agree on pollution control and navigation safety standards applicable only to the 100-mile pollution control zone established by the Canadian legislation. Mr. Beesley explained that the U.S.A. had not suggested this. The consensus of the meeting was that the Canadian position should continue to be that such standards should be applicable to Arctic waters off the coasts of Alaska, the U.S.S.R., Greenland, etc. as well as off the coasts of Canada.

(j) Definition of Waters

It was agreed that both liquid and frozen waters should be covered by the proposed internationally agreed standards of navigation safety and pollution control. This item gave rise to further discussion as to the applicability of agreed standards to Arctic waters both within and beyond national jurisdiction and Mr. Shoemaker again expressed reservations concerning this proposal. The meeting agreed to maintain the Canadian position on this question as put forth by Mr. Beesley in Washington.

(k) Relationship of Canadian Regulations to Treaty

In the discussion on this item it was pointed out that certain regulations promulgated by Canada with respect to pollution control and navigation safety and Arctic waters

might conceivably be negotiable while others would be non-negotiable. Dr. Uffen suggested that such questions as pilotage requirements could be decided on functional rather than jurisdictional grounds while other standards (such as hull design) once fixed should remain fixed. Dr. Uffen suggested that Canada should identify the varying degrees of permanency which should be attached to standards of navigation safety and pollution control in relation to where and when such standards should apply. Mr. Beesley agreed with these views and confirmed that this was the position he had expressed in the bilateral talks with the U.S.A. Mr. Shoemaker confirmed his concurrence with the position taken by Mr. Beesley in Washington that it would not be possible for Canada to accept any suggestion that an international body or international machinery should determine the regulations to be applied by Canada in waters over which it claimed pollution control jurisdiction. Mr. Beesley pointed out also that the extent to which the proposed treaty would fix specific standards appeared to be one of the basic issues on which there might be a significant divergence of views with the U.S.A.; the Canadian position was that the treaty should be as specific as possible while leaving room for flexibility on adapting agreed standards in different areas at different sessions. While the U.S.A. had on a number of occasions suggested that the conference could not simply rubber stamp the Canadian regulations, Canada would have to remain firm on its legislation.

(1) Environment to be Included

Some brief discussion took place with respect to the possibility of including seabed activities (and particularly submarine oil pipelines) within the scope of the proposed treaty on navigation safety and pollution control in Arctic waters. The consensus which emerged was that, while this question might be left open, Canada should stick to the position taken by Mr. Beesley in Washington that the proposed treaty should deal only with the control of pollution arising from shipping.

(m) Heads of Discussion

It was agreed that "clean-up" and "scientific research" should be included among the heads of discussion to be covered at the proposed Arctic conference. Mr. Beesley pointed out that scientific questions were included by implication in the heading "special ecology problems" which had been proposed by the Canadian side during the bilateral talks with the U.S.A. Some discussion took place with respect to the desirability of holding a separate conference on scientific research on Arctic problems.

(n) Treaty Language

Following the earlier discussions of this matter it was agreed that the Canadian side should not discuss actual treaty language at the June bilateral talks with the U.S.A. but that the Canadian representatives should take the opportunity to examine any treaty language which might be proposed by the U.S.A., without commitment and without prejudice to the Canadian position.

(o) and (p) Flexibility and Nature of International Machinery

Mr. Beesley pointed out that these two items were related to the question of relationship of Canadian regulations to the proposed treaty (discussed under item (k) above). He stressed again that it was on these questions that there appeared to be the widest divergence of views with the U.S.A. and confirmed that the Canadian position on the bilateral talks with the U.S.A. had been that agreed standards of pollution control and navigation safety in Arctic waters should be fixed by the proposed treaty, although it might be possible to establish varying standards to be applied in different areas at different times. He also pointed out that Canada could not delegate much decision-making or legislative powers to any proposed international machinery. With respect to the possible role to be played by national courts in the determination of damage or liability, he pointed out that very complex issues were involved which alone could become the subject of a separate conference, and that this argued for one regime applicable both within and beyond national jurisdiction, with liability to be determined by courts of adjacent states.

Some discussion took place with respect to the desirability of Canada's proceeding to issue invitations to the proposed experts' conference to be held in Ottawa in the fall. It was agreed that invitations should not be issued at this time. Discussion also centred on the desirability of reporting to Cabinet on developments connected with the proposed Arctic conference and seeking instructions on the future course of action to be followed. It was agreed that a Memorandum to Cabinet should be submitted after further bilateral talks with the U.S.A. in June. A brief discussion also took place with respect to the implications of a possible refusal by the Soviet Union to participate in the proposed conference, and it was agreed that if the Soviet Union did not participate the Canadian position might be more difficult and the conference might appear to be directed specifically to discussion of the Canadian Arctic Waters legislation. It was agreed that every effort be made to secure Soviet participation.

The conclusions reached during this meeting of the Advisory Committee on Northern Development were:

- 9 -

- (a) The Department of External Affairs should proceed to hold further bilateral discussions with the U.S.A. in connection with the proposed Arctic conference in the second or third weeks of June (i.e. between June 8-12 or June 15-20). During the course of these bilateral discussions the Canadian side could examine any treaty language proposed by the U.S.A. without committing itself in any way to such language or taking part in the drafting of any treaty language.
- (b) The possibility of a preliminary meeting with U.S. experts on the scientific aspects of the proposed conference was discussed and left open; it was suggested by Dr. Uffen that such a preliminary scientific meeting could take place in conjunction with the bilateral discussions with the U.S.A. on other aspects of the conference.
- (c) Among the items to be considered at the proposed experts' conference should be included problems of clean-up of oil spills, scientific research, and possible conflict between navigational and other uses of Arctic waters.
- (d) It was agreed that special urgency should be attached to the drafting of Canadian regulations under the Arctic waters pollution prevention bill and that an immediate start should be made on this task.
- (e) It was also agreed that the parties concerned should begin drafting a treaty based on the proposed Canadian regulations as soon as possible but that this work should be kept secret and not be communicated to the U.S.A.
- (f) A Memorandum to Cabinet reporting on developments in connection with the proposed conference and seeking instructions for the future course of action to be followed should be submitted following the bilateral discussions with the U.S.A. in June.

L.A.C.O. Hunt,
Secretary.

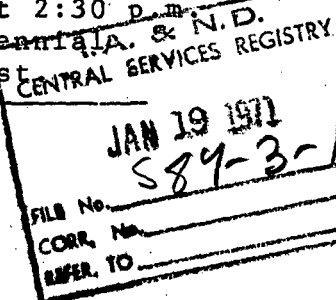
Department of Indian Affairs
and Northern Development
June 8, 1970.

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Kup.

The seventy-seventh meeting of the Committee was held on Monday, May 25, 1970 at 2:30 p.m. in the 15th floor Board Room, Centennial A. & N.D. Tower Bldg., 400 Laurier Avenue West.



PRESENT:

Mr. H.B. Robinson, Deputy Minister, Indian Affairs and Northern Development

(Chairman)

Mr. J.A. Beesley, Department of External Affairs
Mr. P.A. Bissonette, Department of External Affairs
LGen M.R. Dare, Department of National Defence
Dr. W.H. Frost, Department of National Health and Welfare
Dr. J.M. Harrison, Department of Energy, Mines and Resources
C/Supt. A. Huget, Royal Canadian Mounted Police
Dr. J.D. Keys, Treasury Board
Mr. L.H. Legault, Department of External Affairs
Col K.W. Macdonald, Department of National Defence
Dr. A.M. Pennie, Defence Research Board
Mr. J.M. Shoemaker, Privy Council Office
Dr. R.J. Uffen, Prime Minister's Office
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern Development
Brig R.M. Withers, Department of National Defence
Mr. C.C. Hitsman, Department of Indian Affairs and Northern Development

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development

(Secretary)

I. PROPOSED INTERNATIONAL CONFERENCE ON ARCTIC PROBLEMS

The following documents were distributed at the meeting:

1. Message from External to Prime Minister - outlining discussions on this subject at the 76th meeting of the A.C.N.D.
2. Editorial reactions to pollution from U.S. Newspapers - Message of May 15, 1970.
3. Government reactions - U.S.S.R. - Message May 15, 1970.
4. Message from Washington (Beesley) concerning new proposals for multilateral conference - Message May 21, 1970. No. 1528.
5. Government reactions - Greek, Message May 21, 1970.
6. Government reactions - Norwegian, Message May 21, 1970.
7. Government reactions - Swedish, Message May 21, 1970.

The Chairman opened the meeting, which had been requested at short notice, to consider the results of the bilateral discussions with the U.S.A. in Washington on May 20, and the further communication from Washington (No. 1528) reporting on these discussions, and to consider the next phase of the negotiations.

The Chairman asked Mr. Beesley to give his views on these discussions. Mr. Beesley stressed the need for Canada to proceed as quickly as possible with the drafting of the regulations to be promulgated under the Arctic Waters Pollution Act, in order to facilitate further discussions with the U.S. concerning the proposed Arctic conference; he pointed out that these regulations would serve as a basis for the Canadian position at the proposed conference, as well as being required for the guidance of the Canadian side in the bilateral discussions with the U.S.A.

At a question from the Chairman, the working group to consider the regulations under the Act was to meet as quickly as possible. The delay was caused through departments failing to nominate representatives. It was also noted that the regulations would not be effective until the summer of 1971, but the importance of promulgating them as soon as possible following passage of the legislation was recognized.

Representatives from other departments expressed concern over the fact that bilateral discussions with the U.S.A. were proceeding before the drafting of the Canadian regulations had been completed, and expressed the view that the drafting of the regulations would require a considerable period of time. It was argued that Canada

could justify any delay in drafting the regulations in light of the fact that they could not be promulgated in time to come into effect during the present Arctic shipping season. It was also suggested that (a) the proposed discussions with the U.S.A. in June should not take up the substance of Canada's regulations but rather should be directed simply to the types of questions to be covered by the regulations, and (b) the drafting of the regulations might only be completed in time to allow bilateral discussions with the U.S.A. in the fall.

Mr. Beesley pointed out that the Canadian proposal approved by the Prime Minister (message attached) called for an experts' conference of a number of states rather than informal bilateral discussions to be held in the fall. He also underlined that the U.S.A. may wish to show the Canadian side a draft treaty on Arctic pollution and navigation safety during the proposed June discussions, and we would not wish to appear not to be ready in the light of the urgency we had attached to the legislation.

Dr. Uffen suggested that Canada should not be rushed into considering treaty language and said that his purpose in proposing an experts' conference on the Arctic to be held in the fall rather than in June had been to buy time for Canada.

Mr. Shoemaker stressed his view that in holding bilateral discussions with the U.S.A. the Canadian side must not do anything that appears to prejudice the Arctic Waters Bill.

Mr. Beesley reminded the meeting that the U.S.A. has implied that Canada had been precipitous in introducing the Arctic Waters Bill and that it was difficult for Canada on the one hand to stress the urgency of the situation while on the other hand maintaining that the Canadian Government was not yet ready to talk about the substance of regulations for navigation safety and pollution control in Arctic waters. He said that while it was obvious that Canada could not commit itself to any treaty language in discussions with the U.S.A. and should avoid any drafting exercises, there could be some advantage in looking at treaty language which may have been drafted by the U.S.A. He also pointed out that such discussions with the Americans need not create difficulties vis-à-vis other countries which might participate in the conference, since the U.S.A. had agreed not to inform such other countries of the bilateral discussions taking place with Canada, and Canada would in any event continue to make clear that the Arctic legislation would go ahead as planned.

Dr. Harrison confirmed that in the report to the Cabinet on the conclusions reached at the Montebello Conference, that a recommendation for a further conference was included. Countries from the circumpolar area would be invited. This conference could also consider on its agenda the scientific problems arising in connection with the potential pollution of Arctic waters.

Dr. Uffen suggested that two types of meetings might be held in June, perhaps simultaneously: at the first of these meetings Canada could look at any treaty language proposed by the U.S.A., while the second possible meeting would consist of a preliminary meeting of experts in preparation for the fall conference.

The discussions then turned, at the Chairman's request, to a point-by-point review of Mr. Beesley's report on his discussions with the Legal Adviser of the State Department on May 20 as set out in Washington telegram 1528 of May 21. The highlights of this discussion were as follows:

(a) Joint Bilateral Discussions

Mr. Beesley said that there was no firm commitment to proceeding with further bilateral discussions with the U.S.A. early in June. It was agreed that an attempt be made to postpone the discussion by one or two weeks to give the Canadian side more time to prepare. As to the possibility of discussing draft treaty language in bilateral talks with the U.S.A. in June, it was agreed after some discussion that while Canada could not commit itself to any treaty language or take part in drafting such language, it would be in order for the Canadian side to look at any language proposed by the U.S.A. since this would "flush out" the U.S.A. position and assist Canada in preparing its own position.

(b) Terms of Reference of Multilateral Conference

There was considerable discussion with respect to the agreement which has been reached between Canada and the U.S.A. to the effect that both countries are prepared to consider the application, by agreement, of internationally agreed standards of pollution control and navigation safety to Arctic waters both within the beyond the limits of national jurisdiction. Mr. Shoemaker expressed concern with respect to possible dangers which this formula might present for Canada. Mr. Beesley pointed out that it was only in this way that Canada and the U.S.A. could avoid discussion of the jurisdictional issue on which Canada was not prepared to compromise. What must be avoided at all costs is having Canada put in a position of defending its jurisdictional claims at such a conference, which would follow from an attempt to limit the proposed regime to the area beyond national jurisdiction. He also underlined the fact that the Canadian position would be protected by the consensus procedure to be followed at the proposed Arctic conference in keeping with the understanding reached with the U.S.A.; procedure by consensus meant in effect that Canada (and the U.S.A. as well) would have a right of veto over any decisions to be taken at the conference. It was agreed that no change be made in the Canadian position on these points as put forth by Mr. Beesley in Washington.

(c) Nature of Conference

Dr. Uffen and Mr. Shoemaker questioned the inclusion of representation at the political level. Mr. Beesley pointed out that the decision to leave open the possibility of political representation at the proposed experts' conference had been made by the Prime Minister (as set out in a message from the Prime Minister to Mr. Sharp in Canberra telegram 739 of May 16). Mr. Beesley explained that it was not yet clear whether such political representation would involve ministerial participation in the conference. It was agreed that no change be made in the Canadian position on this point as put forth by Mr. Beesley in Washington.

(d) Conference Participants

Mr. Beesley explained that Canada's suggestion that the conference (as originally envisaged by the U.S.A.) might be broadened to include representation from Latin American states was intended to make the U.S.A. aware that we were not prepared to have our claims discussed in an unfriendly forum. He pointed out that the bilateral discussions with the U.S.A. had left open the possibility of participation of observers from countries expressing an interest in the Arctic conference. It was agreed to stick to this position for the time being, and invite no other states until a later stage in the bilateral discussions.

(e) Follow-up Conference

Canadian side proposed and it was confirmed by aide-memoire that second follow-up conference could take place if necessary. However, the Committee was of the opinion that the scientific questions might be dealt with by a separate scientific conference, such as recommended at Montebello. This should be discussed bilaterally in June.

(f) Time of Conference

Mr. Beesley pointed out that the Prime Minister's message to Mr. Sharp had indicated that the best time to hold the proposed experts' conference in Canada would be the last week in September or the first half of October. He referred again to the need to complete the drafting of Canadian regulations well before these dates, and suggested that an effort should be made to have the drafting of the regulations well in hand before the return of the Prime Minister's party from the Pacific. (It was noted that most of the countries approached by the U.S.A. appeared to agree that the conference timing proposed by the U.S.A. was unrealistic.) It was agreed that the regulations would be pressed forward as a matter of urgency, and that the September-October dates would have to be met.

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Questions were raised as to whether Canada should be a co-sponsor rather than sole sponsor of the proposed experts' conference. In this connection it was pointed out that the Prime Minister's message to Mr. Sharp had indicated that the Canadian Government would be happy to have others join it in sponsoring this conference.

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This item was discussed in connection with the possibility that internationally agreed standards of pollution control and navigation safety might be made applicable, by agreement, to Arctic waters both within and beyond national jurisdiction, in which context it was pointed out by Mr. Beesley that the consensus procedure (as understood in the United Nations) would protect Canada's jurisdictional position.

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Questions were raised concerning the preference expressed by the U.S.A. to have the area of application of the proposed Arctic treaty "coincide" with the area affected by Canada's Arctic waters legislation. The point was made that obvious difficulties would be created for Canada if the proposed conference were to agree on pollution control and navigation safety standards applicable only to the 100-mile pollution control zone established by the Canadian legislation. Mr. Beesley explained that the U.S.A. had not suggested this. The consensus of the meeting was that the Canadian position should continue to be that such standards should be applicable to Arctic waters off the coasts of Alaska, the U.S.S.R., Greenland, etc. as well as off the coasts of Canada.

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Some brief discussion took place with respect to the possibility of including seabed activities (and particularly submarine oil pipelines) within the scope of the proposed treaty on navigation safety and pollution control in Arctic waters. The consensus which emerged was that, while this question might be left open, Canada should stick to the position taken by Mr. Beesley in Washington that the proposed treaty should deal only with the control of pollution arising from shipping.

(m) Heads of Discussion

It was agreed that "clean-up" and "scientific research" should be included among the heads of discussion to be covered at the proposed Arctic conference. Mr. Beesley pointed out that scientific questions were included by implication in the heading "special ecology problems" which had been proposed by the Canadian side during the bilateral talks with the U.S.A. Some discussion took place with respect to the desirability of holding a separate conference on scientific research on Arctic problems.

(n) Treaty Language

Following the earlier discussions of this matter it was agreed that the Canadian side should not discuss actual treaty language at the June bilateral talks with the U.S.A. but that the Canadian representatives should take the opportunity to examine any treaty language which might be proposed by the U.S.A., without commitment and without prejudice to the Canadian position.

(o) and (p) Flexibility and Nature of International Machinery

Mr. Beesley pointed out that these two items were related to the question of relationship of Canadian regulations to the proposed treaty (discussed under item (k) above). He stressed again that it was on these questions that there appeared to be the widest divergence of views with the U.S.A. and confirmed that the Canadian position on the bilateral talks with the U.S.A. had been that agreed standards of pollution control and navigation safety in Arctic waters should be fixed by the proposed treaty, although it might be possible to establish varying standards to be applied in different areas at different times. He also pointed out that Canada could not delegate much decision-making or legislative powers to any proposed international machinery. With respect to the possible role to be played by national courts in the determination of damage or liability, he pointed out that very complex issues were involved which alone could become the subject of a separate conference, and that this argued for one regime applicable both within and beyond national jurisdiction, with liability to be determined by courts of adjacent states.

Some discussion took place with respect to the desirability of Canada's proceeding to issue invitations to the proposed experts' conference to be held in Ottawa in the fall. It was agreed that invitations should not be issued at this time. Discussion also centred on the desirability of reporting to Cabinet on developments connected with the proposed Arctic conference and seeking instructions on the future course of action to be followed. It was agreed that a Memorandum to Cabinet should be submitted after further bilateral talks with the U.S.A. in June. A brief discussion also took place with respect to the implications of a possible refusal by the Soviet Union to participate in the proposed conference, and it was agreed that if the Soviet Union did not participate the Canadian position might be more difficult and the conference might appear to be directed specifically to discussion of the Canadian Arctic Waters legislation. It was agreed that every effort be made to secure Soviet participation.

The conclusions reached during this meeting of the Advisory Committee on Northern Development were:

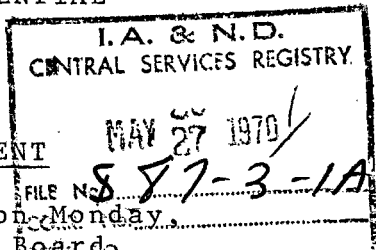
- 9 -

- (a) The Department of External Affairs should proceed to hold further bilateral discussions with the U.S.A. in connection with the proposed Arctic conference in the second or third weeks of June (i.e. between June 8-12 or June 15-20). During the course of these bilateral discussions the Canadian side could examine any treaty language proposed by the U.S.A. without committing itself in any way to such language or taking part in the drafting of any treaty language.
- (b) The possibility of a preliminary meeting with U.S. experts on the scientific aspects of the proposed conference was discussed and left open; it was suggested by Dr. Uffen that such a preliminary scientific meeting could take place in conjunction with the bilateral discussions with the U.S.A. on other aspects of the conference.
- (c) Among the items to be considered at the proposed experts' conference should be included problems of clean-up of oil spills, scientific research, and possible conflict between navigational and other uses of Arctic waters.
- (d) It was agreed that special urgency should be attached to the drafting of Canadian regulations under the Arctic waters pollution prevention bill and that an immediate start should be made on this task.
- (e) It was also agreed that the parties concerned should begin drafting a treaty based on the proposed Canadian regulations as soon as possible but that this work should be kept secret and not be communicated to the U.S.A.
- (f) A Memorandum to Cabinet reporting on developments in connection with the proposed conference and seeking instructions for the future course of action to be followed should be submitted following the bilateral discussions with the U.S.A. in June.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development
June 8, 1970.

CONFIDENTIAL



ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 77th meeting of the Committee to be held on Monday,
May 25, 1970, at 2:30 p.m., in the 15th floor Board
room, Centennial Tower Bldg., 400 Laurier Avenue West:

AGENDA

I. Proposed International Conference on Arctic Research

Follow through from previous meeting:

The following External Documents are now available

1. May 13 U.S.A. Proposal for Arctic Conference
External to Prime Minister.
2. May 15 Arctic Pollution: Editorial Reactions
Washington to Ottawa (External Affairs).
3. May 15 Proposed Arctic Conference
Moscow to Ottawa (External Affairs).
4. May 21 Proposed Arctic Conference
Washington to Ottawa (External Affairs)
5. May 21 Arctic Conference
Athens to Ottawa (External Affairs).
6. May 21 Canadian Legislation Re Arctic Pollution
Oslo to Ottawa (External Affairs).
7. May 21 Proposal for Arctic Conference
Stockholm to Ottawa (External Affairs).

II. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
May 25, 1970.

MESSAGE

1.

FM/DE EKT OTT

DATE	FILE/DOSSIER	SECURITY
MAY 11	25-55-CD-USA	SECURE
	NO	PRECEDENCE

TO/A WIGTH (FOLLOWING FOR PRIME MINISTER)

FILE 606

TIMED

INFO MCOW HENRI HAGUE OSLO STEEN COHEN LBN PARTS BORN CANDELMATO ROME
ATHENS WASHDC PERMISNY TOKYO CONGNY HRU REYKJAVIK MORID FISHERIES(SPRULES)
LAND(ROBINSON) ZMANDR(CROSBY) DOT(STEAD) PCO(SHOEMAKER) PMO(HEAD)

REF OURTEL FILE-676 MAY 11

SUB/SUB USA PROPOSAL FOR ARCTIC CONFERENCE

MTG OF ADVISORY CTTEE ON NORTHERN DEVELOPMENT MAY 11 PROPOSED FURTHER DEVELOPMENT OF CDN POSITION ON USA INITIATIVE FOR ARCTIC CONFERENCE WHICH I AM SUBMITTING FOR YOUR URGENT CONSIDERATION. IN MAKING THIS PROPOSAL ADVISORY CTTEE TOOK INTO ACCOUNT MOST RECENT EXCHANGES WITH USA ON THIS SUBJECT AS SET OUT BELOW.

2. ON MAY 9 FOLLOWING PREVIOUS DAY'S INTERVIEW WITH RITCHIE, RUFUS SMITH OF USA EMB CONFIRMED TO RITCHIE AND HEAD OF EXTERNAL LEGAL DIV THAT USA AGREES THAT PROPOSED ARCTIC CONFERENCE BE LIMITED SOLELY TO ANTI-POLLUTION AND NAVIGATION SAFETY STANDARDS WITH NO QUOTE SECOND PHASE UNQUOTE ON OTHER ISSUES. (SMITH INDICATED, HOWEVER, THAT USA STATE DEPT HAD POINTED OUT THAT IT COULD NOT ANSWER FOR OTHER CONFERENCE PARTICIPANTS WHO MIGHT WANT TO RAISE OTHER QUESTIONS). IT WAS ALSO AGREED WITH SMITH THAT THERE WAS NO OBJECTION TO USA NOTIFYING OTHER POTENTIAL PARTICIPANTS OF CDAGUSA AGREEMENT ON ^{ABOVE LIMITED} TERMS OF REFERENCE OF CONFERENCE WHILE MAKING NO REFERENCE TO

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2-2002

SIG.....MITCHELL SHARP
.....M.....SHARP.....

EXT 18/84 (REV 8/84)
(COMMUNICATIONS DIV)

000074

DEFERREDITY OF FURTHER CDA-USA TALKS IN EARLY JUN. AT SAME TIME DOUBTS ON CDA SIDE CONCERNING TIMING OF CONFERENCE WERE REITERATED AND THIS QUESTION WAS LEFT FOR FURTHER CONSIDERATION LATER, AS WELL AS OTHER QUESTIONS (SUCH AS CONFERENCE SITE AND VARIOUS TECHNICAL AND LEGAL ISSUES).

3. SMITH ENQUIRED AGAIN WHETHER, ASSUMING USA NOTIFIES OTHER COUNTRIES OF AGREEMENT ON TERMS OF REFERENCE, IT WOULD THEN BE IN ORDER FOR HEAD OF EXTERNAL LEGAL DIV TO MEET WITH LEGAL ADVISER OF STATE DEPT ON MAY 20 TO DISCUSS QUOTE SHOPPING LIST UNQUOTE OF QUESTIONS WHICH WILL HAVE TO BE CONSIDERED BY TWO GOVTS IN PREPARING FOR CONFERENCE. I HAVE APPROVED SUCH INFORMAL DISCUSSIONS, SUBJECT TO YOUR VIEWS. POSSIBILITY OF SECOND BILATERAL CDA-USA MTG IN EARLY JUNE WAS LEFT OPEN FOR SUBSEQUENT CONSIDERATION IN LIGHT OF SUGGESTED INTERVENING TALKS BETWEEN EXT AND STATE DEPT LEGAL OFFICERS. IT WAS, HOWEVER, MADE CLEAR THAT ARCTIC WATERS POLLUTION LEGISLATION WOULD GO FORWARD AS PLANNED AND WOULD NOT BE POSTPONED. SMITH EXPRESSED FEARS OF USA SIDE THAT WE MIGHT BE DELIBERATELY DRAGGING OUR FEET ON CONFERENCE PROPOSAL BUT WAS GIVEN ASSURANCE THAT THIS WAS NOT CASE SO LONG AS WE COULD BE CERTAIN THAT TWO GOVTS WERE AGREED ON SUBJECT MATTER AND PURPOSE OF CONFERENCE.

4. FOLLOWING DISCUSSION OF THESE DEVELOPMENTS IN YESTERDAY'S MTG OF ADVISORY CTTEE ON NORTHERN DEVELOPMENT/ CONSENSUS RECOMMENDED (ON BASIS OF PROPOSAL BY DR. UFFEN) THAT CDA SHOULD MAKE FOLLOWING COUNTER-PROPOSAL TO USA:

- (CHAIRMAN BY H.B. ROBINSON)
- A) CONFERENCE SHOULD CONSIST OF MTG OF EXPERTS (INCLUDING LEGAL AND OTHER EXPERTS AS WELL AS SCIENTISTS AND TECHNICIANS) WHO WOULD EXAMINE NATURE OF AND SOLUTIONS TO PROBLEMS OF NAVIGATION SAFETY AND POLLUTION CONTROL IN ARCTIC WATERS AND ATTEMPT TO REACH AGREEMENT ON CRITERIA WITHOUT, HOWEVER, COMMITTING RESPECTIVE GOVTS. CONFERENCE PARTICIPANTS WOULD BE DRAWN FROM BOTH ARCTIC AND QUOTE USER UNQUOTE STATES BUT LATTER MIGHT HAVE STATUS OF OBSERVERS ONLY AT THIS STAGE.
 - B) DEPENDING ON RESULTS OF EXPERTS CONFERENCE, SECOND FOLLOW-UP CONFERENCE COULD TAKE PLACE WHICH WOULD CONSIST OF MTGS OF PLENIPOTENTIARIES CONVENED TO NEGOTIATE TREATY ARRANGEMENTS ON QUESTIONS OF NAVIGATION SAFETY AND POLLUTION

ATROL IN ARCTIC WATERS ON BASIS OF PREPARATORY WORK BY EXPERTS CONFERENCE.
NEED AND NATURES OF THIS SECOND PHASE WOULD DEPEND ON DEGREE OF SUCCESS AT
PREPARATORY CONFERENCE BUT ANY SECOND PHASE WOULD, LIKE FIRST, BE CONFINED TO
QUESTIONS OF ANTI-POLLUTION AND NAVIGATION SAFETY STANDARDS.

C) EXPERTS CONFERENCE WOULD BE HOSTED BY CDA AND WOULD BE HELD ~~IN OTT~~ IN OTT IN FALL
OF THIS YEAR (PERHAPS AS EARLY AS SEPT).

5. IT IS ENVISAGED THAT EXPERTS CONFERENCE MIGHT CONCEIVABLY MAKE SUFFICIENT
PROGRESS TO DRAFT DOCUMENT WHICH COULD BE SUBMITTED TO GOVTS FOR THEIR
ACCEPTANCE WITHOUT NEED FOR FOLLOW-UP CONFERENCE, ALTHOUGH THIS POSSIBILITY
IS CONSIDERED TO BE REMOTE. CDN PREPARATIONS FOR AND CONTRIBUTION TO EXPERTS
CONFERENCE WOULD CONSIST ESSENTIALLY OF REGULATIONS TO BE DRAFTED FOR
PROMULGATION UNDER ARCTIC POLLUTION LEGISLATION. (QUESTION FOR CONSIDERATION
IS WHETHER THESE REGULATIONS WOULD BE PROMULGATED BEFORE EXPERTS CONFERENCE,
IN LIGHT OF GOVT STATEMENTS THAT CDA IS PREPARED TO CONSULT WITH INTERESTED
COUNTRIES CONCERNING REGULATIONS).

6. ADVANTAGES OF THIS COUNTER-PROPOSAL BY CDA ARE SEEN AS FOLLOWS:

A) IT WOULD NOT LEAVE CONFERENCE INITIATIVE IN HANDS OF USA AND WOULD REFLECT
FALSE URGENCY BEING ATTACHED BY USA TO IMMEDIATE CONVENING OF CONFERENCE TO
NEGOTIATE TREATY ARRANGEMENTS. URGENCY OF SITUATION FROM USA POINT OF VIEW
APPEARS TO ARISE FROM USA DESIRE TO COUNTER CDN LEGISLATION.

B) IT WOULD RESTORE USUAL ORDER OF PROCEDURE WHEREBY CONFERENCE OF PLANI-
POTENTIARIES IS PRECEDED BY PREPARATORY DISCUSSIONS BETWEEN EXPERTS TO LAY
BASIS FOR ACTUAL NEGOTIATIONS.

C) BY TRANSFERRING CONFERENCE TO OTT WITH CDA AS HOST WE WOULD BE IN BETTER
POSITION TO CONTROL CONFERENCE; CONFERENCE ^{IN OTT} WOULD BE BETTER RECEIVED DOMESTICALLY
AND WOULD APPEAR MORE APPROPRIATE ALSO FROM INTERNATIONAL POINT OF VIEW.

7. DISADVANTAGES OF COUNTER-PROPOSAL (MAINLY THE DELAYS ENTAILLED) ARE NOT
CONSIDERED TO OUTWEIGH ADVANTAGES. ALTHOUGH COUNTER-PROPOSAL WILL PRESUMABLY
CREATE DIFFICULTIES WITH USA, WE CAN POINT OUT TO USA AND OTHER POSSIBLE

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TICIPANTS THAT CONFERENCE TIMING SUGGESTED BY USA IS UNREALISTIC, AND THAT TREATY NEGOTIATIONS ON DIFFICULT SUBJECT INVOLVING COMPLEX SCIENTIFIC AND TECHNICAL QUESTIONS CANNOT SUCCEED WITHOUT ADEQUATE PREPARATION. WE WOULD OF COURSE HAVE TO PRESENT COUNTER-PROPOSAL TO ALL COUNTRIES INVOLVED IN SUCH WAY AS TO EMPHASIZE THAT PRELIMINARY DISCUSSIONS BETWEEN EXPERTS WERE REQUIRED IN ORDER TO LAY BASIS FOR TREATY ARRANGEMENTS AND MAKE CLEAR THEY WOULD NOT BE NEEDED AS A RESULT OF ANY LACK OF KNOWLEDGE IN CDA AS TO SCIENTIFIC AND TECHNICAL ISSUES INVOLVED. COUNTER-PROPOSAL WOULD IN FACT BE CONSISTENT WITH POSTURE ALREADY ADOPTED BY GOVT ON CONSULTATIONS WITH OTHER COUNTRIES CONCERNING REGULATIONS TO BE ISSUED UNDER ARCTIC POLLUTION LEGISLATION. SIMILARLY THERE IS NO INCONSISTENCY BETWEEN OUR WILLINGNESS TO HOLD A TWO PHASE CONFERENCE ON QUESTIONS OF NAVIGATION SAFETY AND POLLUTION CONTROL AND OUR CONTINUING POSITION THAT CONFERENCE PROPOSED BY USA SHOULD BE LIMITED TO THESE ISSUES AND SHOULD BE NOT FOLLOWED BY SECOND PHASE OR SECOND CONFERENCE DEALING WITH OTHER ISSUES.

8. GRATEFUL FOR YOUR VIEWS ON THIS MATTER. IF YOU AGREE, PROPOSAL SET OUT IN PARA 4 WILL BE CONVEYED TO USA DURING TALKS BETWEEN HEAD OF EXT LEGAL DIV AND STATE DEPT LEGAL ADVISER MAY20.

SHARP

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U N C L A S S I F I E D

FM WSHDC MAY15/70 NO/NO STANDARD

TO EXTER 1479

INFO EMAROTT MOTOTT FANDFOTT IANDOTT NHANDWOTT

TT CANFORCEHED DE OTT

PMOOTT PCOOTT DE OTT

AIRMAIL BOSTN CHCGO CLVLD DALAS DTROT LNGLS MNPLS NRLNS PHILA

SEATL SFRAN BUFLO

ARCTIC POLLUTION:EDITORIAL REACTIONS

WE HAVE REVIEWED USA CLIPPINGS ON ARCTIC POLLUTION/TERRITORIAL SEA
LEGISLATION PUBLISHED OVER LAST MONTH AND FIND PROPOSAL TO CONCILIATE
DIFFERENCES BY INNATL CONFERENCE HOLDS MOST SUPPORT.OUT OF TWENTY-
FOUR EDITORIALS,FIFTY PERCENT SUPPORT THIS LINE.GENERALLY SPEAKING,
ABOUT FIFTY PERCENT OF REPORTS ARE ALSO SYMPATHETIC TO CDAS ANTI-
POLLUTION LINE ALTHOUGH NOT/NOT ALL SUPPORT UNILATERAL ACTION.LESS
THAN FIFTY PERCENT TAKE WHAT COULD BE CONSIDERED A PRO-USA LINE.

2.BUFLO EVENING NEWS(APR24)PERHAPS BEST SUMMARIZED USA EDITORIAL
OPINION IN THIS CONCLUDING PARA:QUOTE AND SO THE DISPUTE SEEMS TO BE
MAINLY OVER THE METHOD CDA IS USING TO ACHIEVE ITS GOALS.BUT PRIME
MINISTER TRUDEAU SAW NO/NO OTHER COURSE.SUBQUOTE WE CANNOT/NOT WAIT
FOR A DISASTER TO PROMPT US TO ACT,END SUBQUOTE,HE SAID.PERHAPS CDAS
ACTION WILL SPOT LIGHT THE URGENCY OF THE PROBLEM AND HASTEN THE
INNATL ACCORD SOUGHT BY THE USA UNQUOTE.

3.EDITORIALS BACKING CONFERENCE PROPOSAL TEND TO REFER TO IMPLICATIONS
OF CDN LEGISLATION FOR OTHER STRAITS OF THE WORLD.FOLLOWING ARE
EXCERPTS FROM MAJOR NEWSPAPERS(OVER 100,000 CIRCULATION)WHICH SUPPORT

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PAGE TWO 1479 NO/NO STANDARD

USA SIDE:

(A) BUFLO COURIER EXPRESS (APR 22) QUOTE WE REGARD THE STATE DEPTS
OPPOSITION TO UNILATERAL ACTIONS AS A PROPER POINT OF VIEW. IN SUCH A
SITUATION, AN INNATL CONFERENCE OFFERS A PLATFORM FOR AN EXCHANGE OF
VIEWS AND FOR POSSIBLE AGREEMENT ON POLICIES TO BE PURSUED. AT ANY
RATE, TALKS CERTAINLY CAN DO NO/NO HARM TO ANY COUNTRYS INTERESTS AND
WE HOPE CDA AGREES TO PARTICIPATE UNQUOTE.

(B) SHREVEPORT, LOUISIANA TIMES (APR 19) QUOTE THE CDN CLAIM, IF PRESSED,
COULD UNDERMINE TWO IMPORTANT USA DIPLO EFFORTS, ONE OF WHICH AIMS AT
LIBERALIZATION OF NAVIGATION RIGHTS THROUGH NARROW STRAITS THE WORLD
OVER. WSHDC HAS ALSO LONG MADE IT A POLICY TO DISCOURAGE ARCTIC
POWERS FROM MAKING NATL CLAIMS ON THE POLAR AREA. CDA, INCREASINGLY
NEUTRALIST UNDER TRUDEAU, COULD ENDANGER THE LONGSTANDING MOOD OF
TRUST THAT HAS CHARACTERIZED USA/CDN RELATIONS BY PUSHING NATLISTIC
CLAIMS TOWARD THE NORTHERN POLAR CAP UNQUOTE.

(C) CLVLD OHIO PLAIN DEALER (APR 19) QUOTE BUT THERE ARE MORE IMPORTANT
STRAITS TO THE USA WHERE SIMILAR LEGISLATION COULD BE POLITICALLY
AND TRAGICALLY DAMAGING--STRAIT OF GIBRALTAR, STRAIT OF MALACCA, THE
SKAGERRAK, TO NAME SOME. THE STATE DEPT THEREFORE IS ON SOUND GROUND IN
CALLING FOR AN INNATL AGREEMENT ON THE ARCTIC AREA RATHER THAN A
UNILATERAL DECISION UNQUOTE.

(D) THE PHILA SUN BULLETIN (APR 19) QUOTE FOR CDA TO ACCEPT THE USA
INVITATION TO JOIN AS A COSPONSOR OF A CONFERENCE WOULD BE TANTAMOUNT
TO OTTS ADMISSION THAT THE WATERS SEPARATING THE ARCTIC ISLANDS ARE
INNATL WATERS...IT IS A PITY THAT THESE TWO FRIENDLY NEIGHBORS COULD

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PAGE THREE 1479 NO/NO STANDARD

NOT/NOT HAVE QUIETLY AGREED ON A SENSIBLE SOLUTION FREE OF ECONOMIC FEARS AND WITHOUT NATL SOVEREIGNTY HAVING COME INTO THE PICTURE AT ALL.THAT WOULD STILL BE THE BEST WAY OUT UNQUOTE.

(E)STLOUIS GLOBE-DEMOCRAT(APR17)QUOTE THE USA OF COURSE,CANNOT/ NOT PERMIT CDA TO EXTEND ITS CONTROL BEYOND THE TRADITIONAL OFFSHORE LIMIT,WHICH AT THIS TIME IS THREE MILES.MR TRUDEAU PLANS TO ASK PARLIAMENT FOR AUTHORITY TO EXPAND THIS TO 12 MILES.OUR GOVT MAY GO ALONG WITH THE 12-MILE LIMIT BUT CERTAINLY WILL NOT/NOT PERMIT CDA TO TAKE OVER THE ARCTIC AS ITS PRIVATE DOMAIN BY THIS POLLUTION-CONTROL GIMMICK UNQUOTE.

(F)NY DAILY NEWS(APR17)QUOTE WE ARE AS ANTI-POLLUTANT AS ANYBODY,BUT WE THINK THAT IN THIS CASE LUCKY(UP TO NOW)PIERRE IS MAINLY INTENT ON SNOOTING UNCLE SAM FOR THE CDN HOME FOLKS EDIFICATION UNQUOTE.

(G)WSHDC EVENING STAR(APR13)QUOTE THE USA,CONCERNED ABOUT ITS POSITION ALL OVER THE WORLD,IS TAKING AN UNDERSTANDABLY LEGALISTIC POSITION TOWARD CDN JURISDICTIONAL CLAIMS...THE DISPUTE WITH CDA SHOULD BE DEESCALATED TO THE LEVEL OF DISCUSSION BETWEEN FRIENDS.ITS AN OCCASION TO PUT ASIDE THE LAW BOOKS AND AGREE ON ANTI-POLLUTION STANDARDS FOR FUTURE SHIPPING IN THE NORTH UNQUOTE.

4.OF PAPERS WITH LESS THAN 100,000 CIRCULATION TWO EDITORIALS ARE OF INTEREST;THE OTHERS HAVE NO/NO COMMENT.OSWEGO,NY PALLADIUM TIMES SUPPORTS A CONFERENCE QUOTE AS A GOOD EXAMPLE IN SETTLING DISPUTE WITHOUT CRISIS UNQUOTE AND SALEM,OREGON CAPITAL JOURNAL SUPPORT CDN POSITION QUOTE CDNS ARE NOT/NOT BUDGING AND WE DO NOT/NOT THINK THEY

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PAGE FOUR 1479 NO/NO STANDARD

SHOULD, DESPITE THE POTENTIAL COMPLICATIONS. AN OIL SPILL IS BAD ANYWHERE UNQUOTE.

5. YOU HAVE SEEN CDA-SUPPORTING EDITORIALS IN JOURNAL OF COMMERCE (APR16) NYTIMES (APR20) WSHDCPOST (APR24) AND CHEMICAL AND ENGINEERING NEWS (APR27). IN ADDITION THERE IS BUFLO EVENING NEWS AND TRENTON, NJ EVENING TIMES (APR27).

6. THERE HAVE ALSO BEEN COMPREHENSIVE REPORTS ON THE ISSUE BY COMMENTATORS. SEVERAL PAPERS CARRIED CP REPORTER JOHN BEST'S LENGTHY EXPLANATORY PIECE. OTHER CDNS-MOST OF WHOM ARE SYNDICATED-WRITING FOR USA PAPERS ON THIS SUBJ INCLUDE BRUCE HUTCHISON IN CHRISTIAN SCIENCE MONITOR, TOR BASED FREELANCER MICHAEL COPE, GREG CONNOLLEY FOR COPLEYS NEWS SERVICE, PETER THOMSON OF TOR TELEGRAM SYNDICATE, IAN MACDONALD FOR BUFLO EVENING NEWS AND DON PEACOCK OF CALGARY HERALD.

7. USA WRITERS INCLUDE JAY WALZ AND EDWARD COWAN OF NYTIMES, GERALD WARING AND ROBERT ESTABROOK OF WSHDCPOST, ROBERT DIETSCH OF SCRIPPS HOWARD PAPERS (HE WAS ABOARD FIRST VOYAGE OF MANHATTAN) AND BRUCE BLOSSAT OF NEWSPAPER ENTERPRISE ASSN. BLOSSAT, INCIDENTALLY, DID CBC-RADIO COMMENTARY ON USA REACTION FOLLOWING INTRODUCTION OF LEGISLATION. HIS COLUMN IS SYMPATHETIC TO CDN POSITION BUT DOES SUPPORT CONFERENCE QUOTE WE FAVOUR SUCH A CONFERENCE, BUT IF IT DOES NOT/NOT CONVENE AND ACT SWIFTLY TO FIX NEW INTL RULES TO FIT ARCTIC CONDITIONS AND TODAY'S ANTI-POLLUTION NEEDS, CDAS PRESENT INDEPENDENT MOVE TOWARD CONTROL WILL ENJOY MUCH SUPPORT AND SYMPATHY AROUND

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PAGE FIVE 1479 NO/NO STANDARD

THE WORLD UNQUOTE.

8.FULL SET OF CLIPPINGS BEING SENT BY BAG TO OTT ADDRESSEES.

CONSULATES SHOULD CONTINUE TO MONITOR LOCAL PAPERS FOR SUBSTANTIAL
COMMENT ON SUBJ.

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C O N F I D E N T I A L

FM MOSCO MAY15/70 NO/NO STANDARD

TO TT EXTER 887 PRIORITY DE LDN

INFO LDN TT PARIS HAGUE BONN CANDELNATO BRU DE LDN HSNKI OSLO

COPEN STKHM DE HAGUE ROME ATHNS MADRID DE PARIS WSHDC TOKYO

CGNNY FISHERIES(SPRULES)IAND(ROBINSON)EMANDROTT(CROSBY)DOTOTT

(STEAD)PCO(SHOEMAKER)PMOOTT(HEAD)DE OTT

REF YOURTEL FLE683 MAY12

USA PROPOSAL FOR ARCTIC CONF

ON MAY15,WE SPOKE TO DEP HEAD OF LEGAL DEPT MFA AS INSTRUCTED IN
YOURTELS FLE577 APR28,FLE676 MAY11 PARA7,AND REFTEL.

2.FOLLOWING COMMENTS CONSTITUTE UNOFFICIAL PRELIMINARY SOVIET
REACTION:USA AND CDA MIGHT HAVE SUCCEEDED BETWEEN THEMSELVES IN
REDUCING SCOPE OF CONF TO ANTI-POLLUTION AND NAVIGATIONAL SAFETY.
BUT HOW COULD WE BE SURE OTHER PARTICIPANTS WOULD NOT/NOT RAISE
QUESTIONS WE HAD AGREED TO EXCLUDE?AND EVEN IF DISCUSSION WERE
OSTENSIBLY CONFINED TO THESE TWO SUBJS,HOW COULD IT BE KEPT FROM
RAISING OTHERS?BORDERING STATES LIKE USSR ALREADY HAD REGIMES
DESIGNED TO MEET SPECIAL ARCTIC CONDITIONS.COUNTRIES LIKE LIBERIA
COULD NOT/NOT BE EXPECTED TO VIEW ARCTIC PROBLEMS FROM SAME VIEWPOINT
AS ARCTIC STATES.SOVIET OFFICIALS WERE THEREFORE NOT/NOT INCLINED
TO EXAGGERATE DEGREE OF UNDERSTANDING AMONG POTENTIAL
PARTICIPANTS.FURTHER MORE THEY FEARED NEW INNATL REGIME WOULD
INEVITABLY CONFLICT WITH SATISFACTORY NATL REGIME THEY HAD

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3.

PAGE TWO 887 CONFD NO/NO STANDARD

ESTABLISHED LONG SINCE, ESPECIALLY IF NEW REGIME REPRESENTED
COMPROMISE BETWEEN INTERESTS OF ARCTIC AND NON-ARCTIC STATES.

3. BEYOND THIS, WHAT WAS POINT OF CONF? SOV LAWYERS CONSIDERED CDA
HAD RIGHT TO LEGISLATE. MANY PRECEDENTS EXISTED. CONF WAS JUST A
DEVICE TO PUT PRESSURE ON US TO CHANGE OUR LEGISLATION. IF
AMERICANS THOUGHT CDN LAWS WENT TOO FAR, THEY COULD CHALLENGE
THEM BILATERALLY. THIS WAS USUAL PRACTICE. SOV ARCTIC EXPERTS WERE
SATISFIED USSR HAD NO/NO NEED OF NEW INNATL REGIME TO DEAL WITH
PROBLEMS LIKE POLLUTION WHICH CONCERNED CDA. EVEN ASSUMING THERE
WERE COMMON REGIONAL PROBLEMS, SOLUTION MIGHT BETTER BE FOUND ON
MODEL OF 1969 NORTH SEA CONVENTION WHICH WAS CONFINED TO BORDER-
ING STATES. ARCTIC PROBLEMS WERE SPECIAL, AS CDA ITSELF ARGUED.
WHY THEN INVOLVE SO MANY COUNTRIES WITHOUT DIRECT ARCTIC INTERESTS?
LOGICAL PROGRESSION WAS FROM UNILATERAL NATL ACTION TO BILATERAL
DISCUSSION TO REGIONAL DISCUSSION TO GENERAL INNATL DISCUSSION.
IN SOV VIEW, CDA-USA PROBLEM COULD BE SOLVED AT SECOND STAGE. TO
PROCEED TO FOURTH STAGE AS USA AND CDA HAD NOW AGREED AMOUNTED TO
QUOTE SHOOTING SPARROWS WITH CANNON UNQUOTE.

4. LINE OF SOVIET COMMENT SPEAKS FOR ITSELF. WE MADE A NUMBER OF THE
OBVIOUS REJOINDERS, BUT IN LTD AND UNOFFICIAL WAY, WITHIN FRAMEWORK
THAT, IN LAST ANALYSIS, CONF WAS USA INITIATIVE WHICH IT WAS UP TO
USA TO JUSTIFY. CDA FOR ITS PART WAS PREPARED TO AGREE TO CONF ON
UNDERSTANDINGS DESCRIBED; MEANWHILE CDN LEGISLATION WOULD GO AHEAD.
SINCE THERE HAVE BEEN NO/NO CONTACTS BETWEEN AMERICANS AND RUSSIANS

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PAGE THREE 887 CONFD NO/NO STANDARD

1. NOR/NOR WE BELIEVE IN WSHDC, OUR CONTINUING DIALOGUE WITH SOV OFFICIALS-WHICH RUSSIANS WOULD WELCOME BOTH HERE AND IN OTT-THEREFORE CARRIES RISK IN ABSENCE OF SOV-USA DIALOGUE THAT CDA WILL BE PLACED IN POSITION OF DEFENDING CONF OF WHICH WE ARE NOT/NOT PRIME SPONSORS.

5. WE TOOK OCCASION TO TRY AGAIN TO SMOKE OUT SOV POSITION ON ARCTIC SOVEREIGNTY. DID VIEWS IN LEGAL TEXTS (OURLET 297 MAR19) CONSTITUTE OFFICIAL SOV POSITION? WE WERE TOLD ONCE AGAIN THERE WAS NO/NO OFFICIAL POSITION BEYOND WHAT WAS SAID IN 1926 DECLARATION; QUESTION REMAINED UNDER REVIEW. HISTORIC CLAIM ESTABLISHED IN PRACTICE TO SHALLOW SEAS OF SOV ARCTIC AS NATL WATER-ROUTES WAS DIFFERENT FROM ASSERTION OF SOVEREIGNTY; IT INVOLVED FOR EG RIGHT TO ESTABLISH REGS FOR NAVIGATION IN SPECIAL ARCTIC CONDITIONS. WE ASKED IF RATIONALE UNDERLYING SOV POSITION COULD FAIRLY BE DESCRIBED AS SIMILAR TO THAT UNDERLYING NEW CDN LEGISLATION, BUT GOT NO/NO ANSWER BEYOND WHAT WAS IMPLIED IN EARLIER COMMENT THAT IN SOV VIEW, CDA HAD RIGHT TO LEGISLATE.

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C O N F I D E N T I A L

FM ATHNS MAY21/70

TO TT EXTER 215 DE PARIS

INFO PARIS TT LDN ROME MDRID DE PARIS HAGUE MOSCO BONN CANDELNATO

BRU DE LDN OSLO STKHM COPEN HSNKI DE HAGUE REYKJAVIK DE OSLO

WSHDC PRMNY TOKYO FISHERIESOTT(SPRULES)IANDOTT(ROBINSON)

PCOOTT(ROBERTSON)EMANDR(CROSBY)DOTOTT(STEAD)DE OTT CNGNY DE PRMNY

REF YOURTEL FLE676 MAY11

ARCTIC CONFERENCE:GREECE

GREEK AUTHORITIES SO FAR APPEAR TO BE APPROACHING PROBLEMS
CONNECTED WITH PROPOSED CONFERENCE VERY PRAGMATICALLY RATHER
THAN LEGALLY OR POLITICALLY.REACTION TO USA ORIGINAL REQUEST
TO JOIN AS CO-SPONSOR OF CONFERENCE. EMBARRASSED GREEK OFFICIALS.
THEY SENSED QUOTE TENSION UNQUOTE BETWEEN TWO ALLIES AND PREFERRED
TO AVOID BEING INVOLVED.THEY ARE NOW CONSIDERABLY RELIEVED IN
VIEW OF INFO WE PASSED ON TO THEM AS REQUESTED AND OUTLINED IN
PARA7 OF YOURTEL FLE676.

2.GREEK OFFICIALS HAVE FRANKLY NOT/NOT STUDIED ALL RAMIFICATIONS
OF CDN(AND USA)INITIATIVES AND HAVE AS YET NO/NO SUBSTANTIVE
VIEWS TO OFFER.THEY WILL ATTEND A CONFERENCE WITH AGREED TERMS
OF REF BUT ONLY RELUCTANTLY.GREEK PREFERENCE IS NO/NO CONFERENCE
AT ALL OR ONE FAR INTO FUTURE.EXCLUSION OF JURISDITIONAL
QUESTION(BECAUSE OF AEGEAN ISLAND PROBLEMS)IS MOST WELCOME.
RATIONALE ALTHOUGH NOT/NOT OPENLY ENUNCIATED IS TYPICALLY GREEK;
ANY INNATL AGREEMENT TO SET STANDARDS OF ANY KIND IN A FIELD

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PAGE TWO 215NCONFD

RELATED TO MARITIME ACTIVITY HAS TENDENCY TO BEAR MORE HEAVILY
ON GREEK THAN ON OTHER INTERESTS. WE MUST BEAR IN MIND HERE OLD
AVERAGE AGE AND INFERIOR QUALITY OF RATHER HIGH PROPORTION OF
GREEK FLAG (OR GREEK CONTROLLED) SHIPPING WHICH IS SUBSTANTIAL
PORTION OF WORLD TOTAL. PRESENT GOVT IS FIRMLY COMMITTED TO
CATERING TO GREEK SHIPPING INTERESTS TO GREATEST EXTENT POSSIBLE
AS MOST IMMEDIATE AREA OF AUGMENTED FOREIGN EXCHANGE REMITTANCES
AND SOURCE OF INVESTMENT FUNDS.

6

C O N F I D E N T I A L

FM OSLO MAY23/70 NO/NO STANDARD

TO TT EXTER 223 DE LDN

INFO HAGUE COPEN HSNKI STKHM TT LDN DE HAGUE PARIS MOSCO BONN
BRU CANDELNATO DE LDN ROME ATHNS DE PARIS TOKYO CNGNY PRMNY WSHDC
DE OTT

BAG SJOSE MDRID ABDJN DE OTT

REF OURTEL 195 MAY14

CDN LEGISLATION RE ARCTIC POLLUTION, TERRITORIAL SEA AND
FISHING ZONES AND PROPOSED ARCTIC CONFERENCE

FOLLOWING IS TRANSLATION OF EXTRACT FROM MINUTES OF MAY12 INTERDEPTL
MTG WHICH OFSTAD GAVE ME ON PERSONAL BASIS. BEGINS: FLEISCHER
OUTLINED THE MAIN POINTS OF HIS MEMO OF APR32 LAST, CONTAINING THE
VIEWS OF INNATL LAW CONCERNING THE PROPOSED LEGISLATION. HE STATED
THAT A 12-MILE TERRITORIAL LIMIT MUST BE REGARDED AS BEING WARRANTED
UNDER PRESENT INNATL LAW. WITH REGARD TO THE ESTABLISHMENT OF
SPECIAL FISHERY ZONES OUTSIDE THE TERRITORIAL WATERS, HE CONSIDERED
THAT IT SHOULD BE POSSIBLE FOR NORWAY TO ACQUIESCE IN THE PROPOSAL.
IN THIS CONNECTION HE POINTED OUT IN PARTICULAR THAT IT SEEMED TO
BE CDAS INTENTION TO CONFINE HERSELF TO THE CLOSING OF CERTAIN BAYS
TO FOREIGN FISHING, AREAS WHICH THROUGH BASE LINES ACROSS THEIR
ENTRANCES COULD BE MADE INTO TERRITORIAL WATERS. HE ALSO MENTIONED
THAT NORWAY DURING THE FISHERY NEGOTIATIONS IN 1964 HAD AGREED THAT
THE GULF OF ST LAWRENCE COULD BE RESERVED FOR CDN FISHERMEN. AS FOR
THE PROPOSAL CONCERNING MEASURES AGAINST POLLUTION IN THE ARCTIC

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PAGE TWO 277 CONF

WATERS, FLEISCHER FOUND IT QUESTIONABLE, AND REFERRED TO THE PRECAUTIONARY NORMS PLANNED FOR SHIPS FINDING THEMSELVES IN THE 100-MILE ZONE, INTER ALIA THE ESTABLISHING OF QUOTE SHIPPING SAFETY CONTROL ZONES UNQUOTE (THE EXTENT OF WHICH HAS NOT/NOT YET BEEN FURTHER DETERMINED), AND ESPECIALLY TO THE PROVISIONS RESPECTING PHYSICAL INTERVENTION (ENFORCEMENT) VIS-A-VIS FOREIGN SHIPS IN THE 100-MILE ZONE. HE THOUGHT, HOWEVER, THAT THE MEASURES COULD BE JUSTIFIED BECAUSE OF THE SPECIAL CONSIDERATIONS OBTAINING IN ARCTIC REGIONS. HE FURTHERMORE STATED THAT ONE COULD NOT/NOT AUTOMATICALLY TAKE IT FOR GRANTED THAT NORWAY WOULD BE DIRECTLY INTERESTED IN OPPOSING THE MEASURES, EVERYTHING TAKEN INTO CONSIDERATION. HE CONSIDERED THAT THE EFFECTS OF PRECEDENT REPRESENTED THE MOST SERIOUS PROBLEM FROM A NORWEGIAN POINT OF VIEW, AND THAT IT WOULD BE OF IMPORTANCE, THEREFORE, TO SEEK TO LIMIT THESE AS MUCH AS POSSIBLE. IT SHOULD BE MADE CLEAR THAT THE MEASURES WERE CONCERNED WITH POLLUTION IN ARCTIC REGIONS BECAUSE OF THE SPECIAL CONDITIONS PREVAILING THERE. A SPECIAL FACTOR IS THE FOLLOWING: TO THE EXTENT THAT IT IS A QUESTION OF INTERVENING VIS-A-VIS THE OIL TRANSPORTATION THROUGH THE NORTHWEST PASSAGE, EVEN THE 12-MILE LIMIT WOULD BE ADEQUATE IF CDA VIS-A-VIS THE USA LAID DOWN CONDITIONS FOR THE NAVIGATION OF SHIPS THROUGH CDN TERRITORIAL WATERS. THE RIGHT TO INNOCENT NAVIGATION DOES NOT/NOT PREJUDICE LEGISLATION TO REGULATE THE NAVIGATION OUT OF CONSIDERATION FOR THE INTERESTS OF THE COASTAL STATE. FURTHERMORE THE THING IS

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PAGE THREE 223 CONFID

THAT CDA IS IN NEED OF CONTROL OF OIL DRILLING IN THE ARCTIC REGIONS. BUT THE NECESSARY CONTROL CAN BE EXERCISED EVEN ON THE BASIS OF THE GENERAL AND GENERALLY RECOGNIZED RULES ABOUT THE CONTINENTAL SHELF. IN VIEW OF THIS IT IS DOUBTFUL WHETHER THE 100-MILE LIMIT ZONE WILL FROM A PRACTICAL POINT OF VIEW REALLY GIVE CDA ANY MORE THAN THE COUNTRY COULD HAVE ATTAINED ALREADY THROUGH THE EXTENSION OF THE TERRITORIAL WATERS AND BY MEANS OF THE RULES CONCERNING THE CONTINENTAL SHELF. APART FROM MILITARY ACTIVITIES-SUBMARINES-THERE WILL HARDLY BE OTHER VESSELS IN THE AREA THAT CAN BE THOUGHT TO CAUSE POLLUTION PROBLEMS OTHER THAN THE AMERICAN OIL TANKERS ON THEIR WAY TO AND FROM ALASKA. OF COURSE IT IS AN ADVANTAGE BEING ABLE TO INTERVENE VIS-A-VIS THESE ALSO OUTSIDE THE PASSAGES WHERE THE 12-MILE LIMIT ENTAILS PRESENCE ON CDN TERRITORY. BUT AN AGREEMENT ABOUT THIS COULD SURELY HAVE BEEN ATTAINED BILATERALLY WITH THE USA-AS A CONDITION FOR THE SHIPS BEING AT ALL GIVEN PERMISSION TO PASS THROUGH THE STRAITS (OR AS A CONDITION FOR CDA NOT/NOT MAKING PROHIBITIVE DEMANDS WITH REGARD TO SAFETY MEASURES, ETC). THEREBY IT WOULD HAVE BEEN POSSIBLE TO AVOID THE UNILATERAL DECLARATION CONCERNING THE 100-MILE ZONE, WITH ITS EFFECTS OF PRECEDENT. ALSO AS FAR AS THE USA IS CONCERNED IT MUST BE A LESSER EVIL TO GET AN ARRANGEMENT EXTENDING TO THE CDNS THE CONTROL AUTHORITY ON THE BASIS OF AGREEMENT THAT THE PROPOSED SYSTEM.

CONCLUSION:

THERE WAS AGREEMENT IN THE CITEE THAT NORWAY SHOULD ACT

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PAGE FOUR 200 CONF

CAUTIOUSLY IN THIS MATTER AND THAT A PROTEST TO CDA HARDLY SERVES ANY PURPOSE. A MORE COMPREHENSIVE STATEMENT FROM THE NORWEGIAN SHIPOWNERS FEDERATION SHOULD BE OBTAINED. OTHERWISE FURTHER DISCUSSIONS BETWEEN THE INTERESTED MINISTRIES SHOULD BE HELD. A COORDINATION OF THE VIEWPOINTS ON THE NORDIC LEVEL IS OF INTEREST. NORWAY SHOULD TAKE PART IN THE PROPOSED CONFERENCE WHICH, IT SEEMS, CAN TAKE PLACE IN SEP AT THE EARLIEST. THERE ONE MUST SEEK TO LIMIT THE EFFECTS OF THE PRECEDENT OF THE PROPOSED LEGISLATION AS MUCH AS POSSIBLE. ENDS.

7

C O N F I D E N T I A L

FM STKHM MAY21/70 NO/NO STANDARD

TO TT EXTER 303 PRIORITY DE LDN

INFO HAGUE OSLO COPEN TT LDN DE HAGUE PARIS CANDELNATO BONN BRU

DE LDN WSHDC PRMNY CNGNY FISHERIESOTT(SPRULES)IAND(ROBINSON)

PCOOTT(ROBERTSON)EMANDR(CROSBY)DOTOTT(STEAD)DE OTT

BAG MOSCO ROME ATHNS MDRID TOKYO HSNKI SJOSE ABDJN DE OTT

REF YOURTEL FLE676 PRMNY TEL 625 MAY11

USA PROPOSAL FOR ARCTIC CONFERENCE:SWEDISH VIEWS

CONTENTS PARA7 YOUR REFTEL AND OTHER SUPPORTING INFO WERE CONVEYED

TO MYRSTEN(DEPUTY HEAD LEGAL DEPT MFA)MAY15 AND IN

SUBSEQUENT CONVERSATION MAY19 HE CONFIRMED SYMPATHETIC SWEDISH

REACTION FORECAST PRMNY REFTEL.HE ALSO MENTIONED THAT USA EMB

POLITICAL COUNSELLOR HAD ADVISED HIM SIMULTANEOUSLY THAT ORIGINAL

USA AIDE MEMOIRE ON ARCTIC CONFERENCE WAS NO/NO LONGER VALID

AND THAT CDN-USA AUTHORITIES WERE AGREED THAT PROPOSED CONFERENCE

SHOULD BE CONFINED TO DISCUSSION OF QUESTIONS OF ANTI-POLLUTION

AND NAVIGATIONAL SAFETY STANDARDS IN ARCTIC WATERS.MYRSTEN FURTHER

OBSERVED THAT USA GOVT SEEMED TO HAVE ABANDONED ITS ATTEMPT

TO QUOTE GANG UP UNQUOTE ON CDA REGARDING ITS ARCTIC LEGISLATION.

2.MYRSTEN NOTED THAT CDN LEGISLATION COULD COUNT ON SYMPATHETIC

INNATL PUBLIC REACTION,PARTICULARLY AMONG YOUTH AROUND WORLD

FOR WHOM POLLUTION WAS NOW A CRUSADING CAUSE.SWEDEN AS HOST

COUNTRY FOR 1972 INNATL CONFERENCE ON HUMAN ENVIRONMENT COULD

NOT/NOT HELP BUT BE AGAINST SIN ALSO.MYRSTEN THOUGHT ONLY REAL

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PAGE TWO 303 CONFD

OPPOSITION TO OBJECTIVES OF CDN LEGISLATION WAS LIKELY TO EMANATE FROM CERTAIN USA ECONOMIC INTERESTS. HE ADDED THAT CDN LEGISLATION HAD BROUGHT TO FORE ISSUES WHICH WOULD BECOME MAJOR PREOCCUPATIONS OF MANY COUNTRIES IN 1970S. QUESTION OF POLLUTION OBVIOUSLY WOULD BE TAKEN UP AT THIRD LAW OF SEA CONFERENCE BUT INTERIM SOLUTION TO POTENTIAL POLLUTION PROBLEMS COULD NOT/NOT AWAIT SETTLEMENT AT SOME FUTURE INNATL CONFERENCE.

3. REGARDING CDN LEGISLATION ITSELF MYRSTEN NOTED THAT, EVEN THOUGH CDA HAD NOT/NOT RATIFIED RELEVANT 1958 GENEV CONVENTIONS, TEXT OF CDN LEGISLATION CONFORMED THERETO, EG ITS TERMINOLOGY ON STRAIGHT BASELINES. PROVISION RE FISHERIES CLOSING LINES INTRODUCED INTERESTING NEW LEGAL CONCEPT IN HIS OPINION.

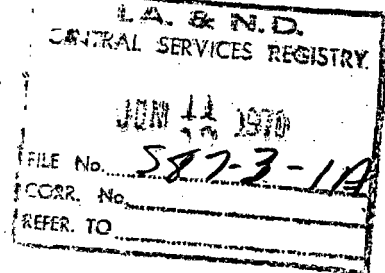
4. IN SUM, MYRSTENS PRELIMINARY VIEW, WHICH HE CAREFULLY POINTED OUT WAS BOTH LARGELY PERSONAL AND NOT/NOT ENTIRELY SHARED BY ALL INTERESTED SWEDISH DEPTS, WAS THAT CDN OBJECTIVE WAS COMMENDABLE EVEN THOUGH SOME OF JURISDICTIONAL-CUM-SOVEREIGNTY ASPECTS OF CDN LEGISLATION MIGHT REST ON RATHER SHAKY LEGAL GROUND

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ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-seventh meeting of the Committee was held on Monday, May 25, 1970 at 2:30 p.m. in the 15th floor Board Room, Centennial Tower Bldg., 400 Laurier Avenue West.



PRESENT:

Mr. H.B. Robinson, Deputy Minister, Indian Affairs and Northern Development

(Chairman)

Mr. J.A. Beesley, Department of External Affairs
Mr. P.A. Bissonette, Department of External Affairs
LGen M.R. Dare, Department of National Defence
Dr. W.H. Frost, Department of National Health and Welfare
Dr. J.M. Harrison, Department of Energy, Mines and Resources
C/Supt. A. Huget, Royal Canadian Mounted Police
Dr. J.D. Keys, Treasury Board
Mr. L.H. Legault, Department of External Affairs
Col. K.W. Macdonald, Department of National Defence
Dr. A.M. Pennie, Defence Research Board
Mr. J.M. Shoemaker, Privy Council Office
Dr. R.J. Uffen, Prime Minister's Office
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern Development
Brig R.M. Withers, Department of National Defence
Mr. C.C. Hitsman, Department of Indian Affairs and Northern Development

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development

(Secretary)

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I. PROPOSED INTERNATIONAL CONFERENCE ON ARCTIC PROBLEMS

The following documents were distributed at the meeting:

1. Message from External to Prime Minister - outlining discussions on this subject at the 76th meeting of the A.C.N.D.
2. Editorial reactions to pollution from U.S. Newspapers - Message of May 15, 1970.
3. Government reactions - U.S.S.R. - Message May 15, 1970.
4. Message from Washington (Beesley) concerning new proposals for multilateral conference - Message May 21, 1970. No. 1528.
5. Government reactions - Greek, Message May 21, 1970.
6. Government reactions - Norwegian, Message May 21, 1970.
7. Government reactions - Swedish, Message May 21, 1970.

The Chairman opened the meeting, which had been requested at short notice, to consider the results of the bilateral discussions with the U.S.A. in Washington on May 20, and the further communication from Washington (No. 1528) reporting on these discussions, and to consider the next phase of the negotiations.

The Chairman asked Mr. Beesley to give his views on these discussions. Mr. Beesley stressed the need for Canada to proceed as quickly as possible with the drafting of the regulations to be promulgated under the Arctic Waters Pollution Act, in order to facilitate further discussions with the U.S. concerning the proposed Arctic conference; he pointed out that these regulations would serve as a basis for the Canadian position at the proposed conference, as well as being required for the guidance of the Canadian side in the bilateral discussions with the U.S.A.

At a question from the Chairman, the working group to consider the regulations under the Act was to meet as quickly as possible. The delay was caused through departments failing to nominate representatives. It was also noted that the regulations would not be effective until the summer of 1971, but the importance of promulgating them as soon as possible following passage of the legislation was recognized.

Representatives from other departments expressed concern over the fact that bilateral discussions with the U.S.A. were proceeding before the drafting of the Canadian regulations had been completed, and expressed the view that the drafting of the regulations would require a considerable period of time. It was argued that Canada

could justify any delay in drafting the regulations in light of the fact that they could not be promulgated in time to come into effect during the present Arctic shipping season. It was also suggested that (a) the proposed discussions with the U.S.A. in June should not take up the substance of Canada's regulations but rather should be directed simply to the types of questions to be covered by the regulations, and (b) the drafting of the regulations might only be completed in time to allow bilateral discussions with the U.S.A. in the fall.

Mr. Beesley pointed out that the Canadian proposal approved by the Prime Minister (message attached) called for an experts' conference of a number of states rather than informal bilateral discussions to be held in the fall. He also underlined that the U.S.A. may wish to show the Canadian side a draft treaty on Arctic pollution and navigation safety during the proposed June discussions, and we would not wish to appear not to be ready in the light of the urgency we had attached to the legislation.

Dr. Uffen suggested that Canada should not be rushed into considering treaty language and said that his purpose in proposing an experts' conference on the Arctic to be held in the fall rather than in June had been to buy time for Canada.

Mr. Shoemaker stressed his view that in holding bilateral discussions with the U.S.A. the Canadian side must not do anything that appears to prejudice the Arctic Waters Bill.

Mr. Beesley reminded the meeting that the U.S.A. has implied that Canada had been precipitous in introducing the Arctic Waters Bill and that it was difficult for Canada on the one hand to stress the urgency of the situation while on the other hand maintaining that the Canadian Government was not yet ready to talk about the substance of regulations for navigation safety and pollution control in Arctic waters. He said that while it was obvious that Canada could not commit itself to any treaty language in discussions with the U.S.A. and should avoid any drafting exercises, there could be some advantage in looking at treaty language which may have been drafted by the U.S.A. He also pointed out that such discussions with the Americans need not create difficulties vis-à-vis other countries which might participate in the conference, since the U.S.A. had agreed not to inform such other countries of the bilateral discussions taking place with Canada, and Canada would in any event continue to make clear that the Arctic legislation would go ahead as planned.

Dr. Harrison confirmed that in the report to the Cabinet on the conclusions reached at the Montebello Conference, that a recommendation for a further conference was included. Countries from the circumpolar area would be invited. This conference could also consider on its agenda the scientific problems arising in connection with the potential pollution of Arctic waters.

Dr. Uffen suggested that two types of meetings might be held in June, perhaps simultaneously: at the first of these meetings Canada could look at any treaty language proposed by the U.S.A., while the second possible meeting would consist of a preliminary meeting of experts in preparation for the fall conference.

The discussions then turned, at the Chairman's request, to a point-by-point review of Mr. Beesley's report on his discussions with the Legal Adviser of the State Department on May 20 as set out in Washington telegram 1528 of May 21. The highlights of this discussion were as follows:

(a) Joint Bilateral Discussions

Mr. Beesley said that there was no firm commitment to proceeding with further bilateral discussions with the U.S.A. early in June. It was agreed that an attempt be made to postpone the discussion by one or two weeks to give the Canadian side more time to prepare. As to the possibility of discussing draft treaty language in bilateral talks with the U.S.A. in June, it was agreed after some discussion that while Canada could not commit itself to any treaty language or take part in drafting such language, it would be in order for the Canadian side to look at any language proposed by the U.S.A. since this would "flush out" the U.S.A. position and assist Canada in preparing its own position.

(b) Terms of Reference of Multilateral Conference

There was considerable discussion with respect to the agreement which has been reached between Canada and the U.S.A. to the effect that both countries are prepared to consider the application, by agreement, of internationally agreed standards of pollution control and navigation safety to Arctic waters both within the beyond the limits of national jurisdiction. Mr. Shoemaker expressed concern with respect to possible dangers which this formula might present for Canada. Mr. Beesley pointed out that it was only in this way that Canada and the U.S.A. could avoid discussion of the jurisdictional issue on which Canada was not prepared to compromise. What must be avoided at all costs is having Canada put in a position of defending its jurisdictional claims at such a conference, which would follow from an attempt to limit the proposed regime to the area beyond national jurisdiction. He also underlined the fact that the Canadian position would be protected by the consensus procedure to be followed at the proposed Arctic conference in keeping with the understanding reached with the U.S.A.; procedure by consensus meant in effect that Canada (and the U.S.A. as well) would have a right of veto over any decisions to be taken at the conference. It was agreed that no change be made in the Canadian position on these points as put forth by Mr. Beesley in Washington.

(c) Nature of Conference

Dr. Uffen and Mr. Shoemaker questioned the inclusion of representation at the political level. Mr. Beesley pointed out that the decision to leave open the possibility of political representation at the proposed experts' conference had been made by the Prime Minister (as set out in a message from the Prime Minister to Mr. Sharp in Canberra telegram 739 of May 16). Mr. Beesley explained that it was not yet clear whether such political representation would involve ministerial participation in the conference. It was agreed that no change be made in the Canadian position on this point as put forth by Mr. Beesley in Washington.

(d) Conference Participants

Mr. Beesley explained that Canada's suggestion that the conference (as originally envisaged by the U.S.A.) might be broadened to include representation from Latin American states was intended to make the U.S.A. aware that we were not prepared to have our claims discussed in an unfriendly forum. He pointed out that the bilateral discussions with the U.S.A. had left open the possibility of participation of observers from countries expressing an interest in the Arctic conference. It was agreed to stick to this position for the time being, and invite no other states until a later stage in the bilateral discussions.

(e) Follow-up Conference

Canadian side proposed and it was confirmed by aide-memoire that second follow-up conference could take place if necessary. However, the Committee was of the opinion that the scientific questions might be dealt with by a separate scientific conference, such as recommended at Montebello. This should be discussed bilaterally in June.

(f) Time of Conference

Mr. Beesley pointed out that the Prime Minister's message to Mr. Sharp had indicated that the best time to hold the proposed experts' conference in Canada would be the last week in September or the first half of October. He referred again to the need to complete the drafting of Canadian regulations well before these dates, and suggested that an effort should be made to have the drafting of the regulations well in hand before the return of the Prime Minister's party from the Pacific. (It was noted that most of the countries approached by the U.S.A. appeared to agree that the conference timing proposed by the U.S.A. was unrealistic.) It was agreed that the regulations would be pressed forward as a matter of urgency, and that the September-October dates would have to be met.

(g) Site of Conference

Questions were raised as to whether Canada should be a co-sponsor rather than sole sponsor of the proposed experts' conference. In this connection it was pointed out that the Prime Minister's message to Mr. Sharp had indicated that the Canadian Government would be happy to have others join it in sponsoring this conference.

(h) Conference Decision-Making

This item was discussed in connection with the possibility that internationally agreed standards of pollution control and navigation safety might be made applicable, by agreement, to Arctic waters both within and beyond national jurisdiction, in which context it was pointed out by Mr. Beesley that the consensus procedure (as understood in the United Nations) would protect Canada's jurisdictional position.

(i) Definition of Arctic Area

Questions were raised concerning the preference expressed by the U.S.A. to have the area of application of the proposed Arctic treaty "coincide" with the area affected by Canada's Arctic waters legislation. The point was made that obvious difficulties would be created for Canada if the proposed conference were to agree on pollution control and navigation safety standards applicable only to the 100-mile pollution control zone established by the Canadian legislation. Mr. Beesley explained that the U.S.A. had not suggested this. The consensus of the meeting was that the Canadian position should continue to be that such standards should be applicable to Arctic waters off the coasts of Alaska, the U.S.S.R., Greenland, etc. as well as off the coasts of Canada.

(j) Definition of Waters

It was agreed that both liquid and frozen waters should be covered by the proposed internationally agreed standards of navigation safety and pollution control. This item gave rise to further discussion as to the applicability of agreed standards to Arctic waters both within and beyond national jurisdiction and Mr. Shoemaker again expressed reservations concerning this proposal. The meeting agreed to maintain the Canadian position on this question as put forth by Mr. Beesley in Washington.

(k) Relationship of Canadian Regulations to Treaty

In the discussion on this item it was pointed out that certain regulations promulgated by Canada with respect to pollution control and navigation safety and Arctic waters

might conceivably be negotiable while others would be non-negotiable. Dr. Uffen suggested that such questions as pilotage requirements could be decided on functional rather than jurisdictional grounds while other standards (such as hull design) once fixed should remain fixed. Dr. Uffen suggested that Canada should identify the varying degrees of permanency which should be attached to standards of navigation safety and pollution control in relation to where and when such standards should apply. Mr. Beesley agreed with these views and confirmed that this was the position he had expressed in the bilateral talks with the U.S.A. Mr. Shoemaker confirmed his concurrence with the position taken by Mr. Beesley in Washington that it would not be possible for Canada to accept any suggestion that an international body or international machinery should determine the regulations to be applied by Canada in waters over which it claimed pollution control jurisdiction. Mr. Beesley pointed out also that the extent to which the proposed treaty would fix specific standards appeared to be one of the basic issues on which there might be a significant divergence of views with the U.S.A.; the Canadian position was that the treaty should be as specific as possible while leaving room for flexibility on adapting agreed standards in different areas at different sessions. While the U.S.A. had on a number of occasions suggested that the conference could not simply rubber stamp the Canadian regulations, Canada would have to remain firm on its legislation.

(1) Environment to be Included

Some brief discussion took place with respect to the possibility of including seabed activities (and particularly submarine oil pipelines) within the scope of the proposed treaty on navigation safety and pollution control in Arctic waters. The consensus which emerged was that, while this question might be left open, Canada should stick to the position taken by Mr. Beesley in Washington that the proposed treaty should deal only with the control of pollution arising from shipping.

(m) Heads of Discussion

It was agreed that "clean-up" and "scientific research" should be included among the heads of discussion to be covered at the proposed Arctic conference. Mr. Beesley pointed out that scientific questions were included by implication in the heading "special ecology problems" which had been proposed by the Canadian side during the bilateral talks with the U.S.A. Some discussion took place with respect to the desirability of holding a separate conference on scientific research on Arctic problems.

(n) Treaty Language

Following the earlier discussions of this matter it was agreed that the Canadian side should not discuss actual treaty language at the June bilateral talks with the U.S.A. but that the Canadian representatives should take the opportunity to examine any treaty language which might be proposed by the U.S.A., without commitment and without prejudice to the Canadian position.

(o) and (p) Flexibility and Nature of International Machinery

Mr. Beesley pointed out that these two items were related to the question of relationship of Canadian regulations to the proposed treaty (discussed under item (k) above). He stressed again that it was on these questions that there appeared to be the widest divergence of views with the U.S.A. and confirmed that the Canadian position on the bilateral talks with the U.S.A. had been that agreed standards of pollution control and navigation safety in Arctic waters should be fixed by the proposed treaty, although it might be possible to establish varying standards to be applied in different areas at different times. He also pointed out that Canada could not delegate much decision-making or legislative powers to any proposed international machinery. With respect to the possible role to be played by national courts in the determination of damage or liability, he pointed out that very complex issues were involved which alone could become the subject of a separate conference, and that this argued for one regime applicable both within and beyond national jurisdiction, with liability to be determined by courts of adjacent states.

Some discussion took place with respect to the desirability of Canada's proceeding to issue invitations to the proposed experts' conference to be held in Ottawa in the fall. It was agreed that invitations should not be issued at this time. Discussion also centred on the desirability of reporting to Cabinet on developments connected with the proposed Arctic conference and seeking instructions on the future course of action to be followed. It was agreed that a Memorandum to Cabinet should be submitted after further bilateral talks with the U.S.A. in June. A brief discussion also took place with respect to the implications of a possible refusal by the Soviet Union to participate in the proposed conference, and it was agreed that if the Soviet Union did not participate the Canadian position might be more difficult and the conference might appear to be directed specifically to discussion of the Canadian Arctic Waters legislation. It was agreed that every effort be made to secure Soviet participation.

The conclusions reached during this meeting of the Advisory Committee on Northern Development were:

- 9 -

- (a) The Department of External Affairs should proceed to hold further bilateral discussions with the U.S.A. in connection with the proposed Arctic conference in the second or third weeks of June (i.e. between June 8-12 or June 15-20). During the course of these bilateral discussions the Canadian side could examine any treaty language proposed by the U.S.A. without committing itself in any way to such language or taking part in the drafting of any treaty language.
- (b) The possibility of a preliminary meeting with U.S. experts on the scientific aspects of the proposed conference was discussed and left open; it was suggested by Dr. Uffen that such a preliminary scientific meeting could take place in conjunction with the bilateral discussions with the U.S.A. on other aspects of the conference.
- (c) Among the items to be considered at the proposed experts' conference should be included problems of clean-up of oil spills, scientific research, and possible conflict between navigational and other uses of Arctic waters.
- (d) It was agreed that special urgency should be attached to the drafting of Canadian regulations under the Arctic waters pollution prevention bill and that an immediate start should be made on this task.
- (e) It was also agreed that the parties concerned should begin drafting a treaty based on the proposed Canadian regulations as soon as possible but that this work should be kept secret and not be communicated to the U.S.A.
- (f) A Memorandum to Cabinet reporting on developments in connection with the proposed conference and seeking instructions for the future course of action to be followed should be submitted following the bilateral discussions with the U.S.A. in June.

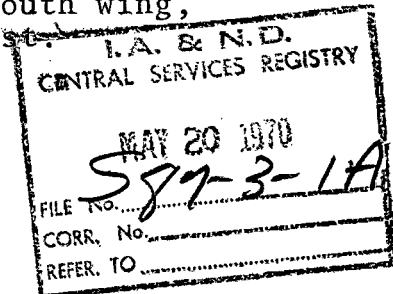
L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development
June 8, 1970.

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 76th meeting of the Committee will be held on Monday, May 11, 1970, at 2:30 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.



AGENDA

- I. Arctic Water Pollution Act.
Arrangements and requirements for implementation.
Document ND-483.
- II. International Conference on the Arctic (Appendices only).
Paper to follow - Document ND-484
- III. Sub-committee Reports.
Co-ordination Committee
Report of Chairman, Document ND-485

Scientific Research Sub-committee
Report of Chairman, Document ND-486
- IV. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
May 7, 1970.

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DOCUMENT ND-483

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Arctic Waters Prevention of Pollution, Bill No. 202

This legislation reflects the policies of the Government as stated by the Prime Minister in the Throne Speech Debate on October 24, 1969, on the need for legislative action to protect the delicate ecological balance of the Canadian Arctic because of exploration and transportation developments in the north. As a reflection of this, the Bill begins with a brief preamble reciting the potentially great international and domestic significance of the exploitation and transportation of Arctic resources.

Subsequent Cabinet documents set out the principles and content of the legislation, culminating in the Memorandum 62-70 dated January 19, 1970, requesting the Minister of Indian Affairs and Northern Development to prepare drafting instructions for the Department of Justice.

The Department of Indian Affairs and Northern Development's role was, in the main, a coordinating function within the department and with the following other government departments:

Department of Transport
Department of Energy, Mines and Resources
Department of External Affairs
Department of Fisheries and Forestry
Canadian Transport Commission

An outline of the content and extent of the proposed legislation was prepared and discussed in detail with officers who would be involved within the department. This was followed by a series of similar meetings with other government departments to enlist their cooperation, procure maximum input from them and define what areas they would cover in the drafting instructions.

The Department of Indian Affairs and Northern Development's involvements include:

- (a) Provisions for insurance and bonding, *vol*
- (b) Limit of Liability, *0*
- (c) Definition of waste
- (d) Land based operations
- (e) Oil drilling and exploration in water covered areas *vol*

- 2 -

(f) Terms of reference for Pollution Prevention Officers

DOI.

(g) Description of general area of application.

The Department of Transport was responsible for the instructions regarding shipping and played a major role in the discussions on insurance, bonding and the limit of liability.

The Department of External Affairs were involved with most of the provisions included, but played the major role in setting out the general area of application. The international aspects of the legislation were discussed in great detail with them.

Each of the other government departments involved were helpful, with information, background material, comments and suggestions.

At present Bill 202 has had second reading in the House, and is being discussed by the Northern Affairs Committee.

All the government departments listed above will be involved in the implementation of the legislation, once approved. It is possible that the Department of National Defence may also be able to assist in the enforcement of the legislation. It is anticipated, however, that the Department of Transport, the Department of Fisheries and Forestry and the Department of Indian Affairs and Northern Development will be the major participants.

?
how do we enforce?

Those sections of the Bill dealing with sea pollution arising from land based operations should be administered by the Territorial Water Boards to be established by the Department of Indian Affairs and Northern Development under provisions contained in the Northern Inland Waters Bill. Those sections of Bill 202 dealing with off-shore drilling activities should be administered by the Oil and Gas Section of the Northern Economic Development Branch of the Department of Indian Affairs and Northern Development.

A major role concerning the implementation of the legislation will be by interdepartmental coordination. This function can probably best be served by a committee or sub-committee under the auspices of the Advisory Committee on Northern Development. The work to be done will include the formulation and/or approval of:

- (a) Regulations for insurance and bonding,
- (b) Regulations setting the limit of liability,
- (c) Regulations for Land based operations,
- (d) Regulations for Oil Exploration in water covered areas,
- (e) Regulations for Shipping,

... 3

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- (f) Regulations for Shipping Safety Control Zones,
- (g) Terms of reference and appointment of Pollution Prevention Officers.

The committee would also be involved in the dissemination of information regarding the legislation and subsequent activity, liaison with private enterprise and Universities, research activity, and an active part in coordination of future contingency plans for the north.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development
May 8, 1970.

*Anti-pollution standards
navigation ^{safety} standards*

*Enforcement
Emergency.*

Air Sea Rescue.

*look out
Terms of reference
DOT,
EA
EMR
IAND
JND
PCO
NHOW
FOF.*

C-202

Second Session, Twenty-Eighth Parliament,
18-19 Elizabeth II, 1969-70

THE HOUSE OF COMMONS OF CANADA

BILL C-202

An Act to prevent pollution of areas of the arctic
waters adjacent to the mainland and islands of
the Canadian arctic

First reading, April 8, 1970

**THE MINISTER OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT**

Queen's Printer for Canada
OTTAWA, 1970

21776

C-202

Deuxième Session, Vingt-huitième Législature,
18-19 Elizabeth II, 1969-70

CHAMBRE DES COMMUNES DU CANADA

BILL C-202

Loi sur la prévention de la pollution des zones des
eaux arctiques contiguës au continent et aux îles
de l'Arctique canadien

Première lecture, le 8 avril 1970

**LE MINISTRE DES AFFAIRES INDIENNES
ET DU NORD CANADIEN**

Imprimeur de la Reine pour le Canada
OTTAWA, 1970

000107

2nd Session, 28th Parliament, 18-19 Elizabeth II,
1969-70

2^e Session, 28^e Législature, 18-19 Elizabeth II,
1969-70

THE HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

BILL C-202

BILL C-202

An Act to prevent pollution of areas of
the arctic waters adjacent to the
mainland and islands of the Canadian
arctic

Loi sur la prévention de la pollution des
zones des eaux arctiques contiguës au
continent et aux îles de l'Arctique
canadien

Preamble

Whereas Parliament recognizes that
recent developments in relation to the ex-
ploitation of the natural resources of
arctic areas, including the natural resources
of the Canadian arctic, and the transporta-
tion of those resources to the markets of
the world are of potentially great signifi-
cance to international trade and commerce
and to the economy of Canada in par-
ticular;

Considérant que le Parlement reconnaît
que des événements récents se rattachant à
l'exploitation des ressources naturelles des
zones arctiques, notamment les ressources
naturelles de l'Arctique canadien, et au
transport de ces ressources sur les marchés
mondiaux sont, en puissance, de la plus
haute importance pour le commerce inter-
national et pour l'économie du Canada, en
particulier;

Préambule

And whereas Parliament at the same
time recognizes and is determined to fulfil
its obligation to see that the natural re-
sources of the Canadian arctic are de-
veloped and exploited and the arctic waters
adjacent to the mainland and islands of
the Canadian arctic are navigated only in
a manner that takes cognizance of Can-
ada's responsibility for the welfare of the
Eskimo and other inhabitants of the Cana-
dian arctic and the preservation of the pe-
culiar ecological balance that now exists
in the water, ice and land areas of the
Canadian arctic;

Et considérant que le Parlement a, en
même temps, conscience et est déterminé à
s'acquitter de son obligation de veiller à ce
que les ressources naturelles de l'Arctique
canadien soient mises en valeur et exploi-
tées et à ce que les eaux arctiques contiguës
au continent et aux îles de l'Arctique cana-
dien ne soient ouvertes à la navigation que
d'une façon qui tienne compte de la respon-
sabilité du Canada quant au bien-être des
Esquimaux et des autres habitants de l'Arc-
tique canadien et quant à la conservation
de l'équilibre écologique particulier qui
existe actuellement dans les zones que
forment les eaux, les glaces et les terres de
l'Arctique canadien;

Now therefore, Her Majesty, by and
with the advice and consent of the Senate
and House of Commons of Canada, enacts
as follows:

A ces causes, Sa Majesté, de l'avis et du
consentement du Sénat et de la Chambre
des communes du Canada, décrète:

SHORT TITLE

TITRE ABRÉGÉ

Short title 1. This Act may be cited as the *Arctic Waters Pollution Prevention Act*.

Titre abrégé 1. La présente loi peut être citée sous le titre: *Loi sur la prévention de la pollution des eaux arctiques*.

INTERPRETATION

INTERPRÉTATION

Definitions 2. In this Act,

"Analyst" (a) "analyst" means a person designated as an analyst pursuant to the *Canada Water Act* or the *Northern Inland Waters Act*; 5

"Icebreaker" (b) "icebreaker" means a ship specially designed and constructed for the purpose of assisting the passage of other ships through ice; 10

"Owner" (c) "owner" in relation to a ship, includes any person having for the time being, either by law or by contract, the same rights as the owner of the ship as regards the possession and use thereof; 15

"Pilot" (d) "pilot" means a person licensed as a pilot pursuant to the *Canada Shipping Act*; 20

"Pollution prevention officer" (e) "pollution prevention officer" means a person designated as a pollution prevention officer pursuant to section 14;

"Ship" (f) "ship" includes any description of vessel or boat used or designed for use in navigation without regard to method or lack of propulsion; 25

"Shipping safety control zone" (g) "shipping safety control zone" means an area of the arctic waters prescribed as a shipping safety control zone by order of the Governor in Council made under section 11; and 30

"Waste" (h) "waste" means

(i) any substance that, if added to any waters, would degrade or alter or form part of a process of degradation or alteration of the quality of those waters to an extent that is detrimental to their use by man or by any animal, fish or plant that is useful to man, and 35 40

Définitions 2. Dans la présente loi,

«analyste» 5 «analyste» signifie une personne désignée à titre d'analyste en application de la *Loi sur les ressources en eau du Canada* et de la *Loi sur les eaux intérieures du Nord*;

«brise-glace» 10 «brise-glace» désigne un navire spécialement conçu et construit aux fins d'aider au passage des autres navires à travers les glaces;

«propriétaire» 15 «propriétaire», relativement à un navire, comprend une personne ayant, à l'époque considérée, soit aux termes de la loi, soit aux termes d'un contrat, les mêmes droits que le propriétaire du navire en ce qui a trait à la possession et à l'usage de ce navire; 20

«pilote» «pilote» désigne une personne brevetée à titre de pilote en application de la *Loi sur la marine marchande du Canada*;

«fonctionnaire chargé de la prévention de la pollution» 25 «fonctionnaire chargé de la prévention de la pollution» signifie une personne désignée à titre de fonctionnaire chargé de la prévention de la pollution en application de l'article 14;

«navire» «navire» comprend toute espèce de bâtiment ou bateau utilisé ou conçu pour la navigation indépendamment de son mode de propulsion ou même s'il n'en a pas;

«zone de contrôle de la sécurité de la navigation» 30 «zone de contrôle de la sécurité de la navigation» signifie une zone à l'intérieur des eaux arctiques désignée par décret du gouverneur en conseil pris en vertu de l'article 11; et

«déchet» «déchet» désigne

(i) une substance qui, si elle était ajoutée à des eaux, dégraderait ou modifierait ou contribuerait à dégrader 35 40

(ii) any water that contains a substance in such a quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any waters, degrade or alter or form part of a process of degradation or alteration of the quality of those waters to an extent that is detrimental to their use by man or by any animal, fish or plant that is useful to man,

and without limiting the generality of the foregoing, includes anything that, for the purposes of the *Canada Water Act*, is deemed to be waste.

ou modifier la qualité de ces eaux dans une mesure telle que leur utilisation par l'homme ou par des animaux, des poissons ou des plantes utiles à l'homme en serait affectée, et

(ii) toute eau qui contient une substance en une quantité ou concentration telle, ou qui, à partir de son état naturel a été traitée, transformée ou modifiée par la chaleur ou d'autres moyens d'une façon telle que si elle était ajoutée à des eaux, elle dégraderait ou modifierait ou contribuerait à dégrader ou à modifier la qualité de ces eaux dans une mesure telle que leur utilisation par l'homme ou par des animaux, des poissons ou des plantes utiles à l'homme en serait affectée

et, sans restreindre la portée générale de ce qui précède, comprend tout ce qui, aux fins de la *Loi sur les ressources en eau du Canada*, est censé être un déchet.

APPLICATION OF ACT

Application
to arctic
waters

3. (1) Except where otherwise provided, this Act applies to the waters (in this Act referred to as the "arctic waters") adjacent to the mainland and islands of the Canadian arctic within the area enclosed by the sixtieth parallel of north latitude, the one hundred and forty-first meridian of longitude and a line measured seaward from the nearest Canadian land a distance of one hundred nautical miles; except that in the area between the islands of the Canadian arctic and Greenland, where the line of equidistance between the islands of the Canadian arctic and Greenland is less than one hundred nautical miles from the nearest Canadian land, there shall be substituted for the line measured seaward one hundred nautical miles from the nearest Canadian land such line of equidistance.

Idem

(2) For greater certainty, the expression "arctic waters" in this Act includes all waters described in subsection (1) and, as this Act applies to or in respect of any person described in paragraph (a) of subsection (1) of section 6, all waters adjacent thereto lying north of the sixtieth parallel of north latitude, the natural resources of

APPLICATION DE LA LOI

Application
aux eaux
arctiques

3. (1) Sauf disposition contraire, la présente loi s'applique aux eaux, (dans la présente loi appelées «eaux arctiques») contiguës au continent et aux îles de l'Arctique canadien à l'intérieur de la zone délimitée par le soixantième parallèle de latitude nord, le cent-quarante et unième méridien de longitude et une ligne en mer dont chaque point se trouve à une distance de cent milles marins de la plus proche terre canadienne; avec cette restriction que, dans la zone sise entre les îles de l'Arctique canadien et le Groenland, là où la ligne d'équidistance entre les îles de l'Arctique canadien et le Groenland, est à moins de cent milles marins de la plus proche terre canadienne, cette ligne d'équidistance sera substituée à la ligne en mer dont chaque point se trouve à cent milles marins de la plus proche terre canadienne.

Idem

(2) Pour plus de certitude, l'expression «eaux arctiques», dans la présente loi, comprend toutes les eaux visées au paragraphe (1) et, alors que la présente loi s'applique à toute personne visée à l'alinéa a) du paragraphe (1) de l'article 6 ou à son égard, comprend toutes les eaux qui leur sont contiguës au nord du soixantième parallèle

whose subjacent submarine areas Her Majesty in right of Canada has the right to dispose of or exploit, whether the waters so described or such adjacent waters are in a frozen or a liquid state, but does not include inland waters.

de latitude nord couvrant les zones sous-marines des richesses naturelles desquelles Sa Majesté du chef du Canada a le droit de disposer ou celui de les exploiter, que les eaux ainsi visées ou de telles eaux contiguës soient gelées ou non, mais ne comprend pas les eaux intérieures qui sont enfermées dans les terres.

DEPOSIT OF WASTE

DÉPÔT DE DÉCHETS

Prohibition

4. (1) Except as authorized by regulations made under this section, no person or ship shall deposit or permit the deposit of waste of any type in the arctic waters or in any place on the mainland or islands of the Canadian arctic under any conditions where such waste or any other waste that results from the deposit of such waste may enter the arctic waters.

Application of subsection (1)

(2) Subsection (1) does not apply to the deposit of waste in waters that form part of a water quality management area designated pursuant to the *Canada Water Act* if the waste so deposited is of a type and quantity and is deposited under conditions authorized by regulations made by the Governor in Council under paragraph (a) of subsection (2) of section 16 of that Act with respect to that water quality management area.

Regulations

(3) The Governor in Council may make regulations for the purposes of this section prescribing the type and quantity of waste, if any, that may be deposited by any person or ship in the arctic waters or in any place on the mainland or islands of the Canadian arctic under any conditions where such waste or any other waste that results from the deposit of such waste may enter the arctic waters, and prescribing the conditions under which any such waste may be so deposited.

Report of deposit of waste or danger thereof

5. (1) Any person who
(a) has deposited waste in violation of subsection (1) of section 4, or
(b) carries on any undertaking on the mainland or islands of the Canadian arc-

Interdiction

4. (1) Sauf dans la mesure où l'autorisent les règlements établis en vertu du présent article, aucune personne ni aucun navire ne doit déposer ni permettre de déposer des déchets d'aucune sorte dans les eaux arctiques ni en aucun endroit sur le continent ou les îles de l'Arctique canadien dans des conditions telles que ces déchets ou tout autre déchet résultant du dépôt puissent atteindre les eaux arctiques.

Application du paragraphe (1)

(2) Le paragraphe (1) ne s'applique pas au dépôt de déchets dans des eaux qui font partie d'une zone de gestion qualitative des eaux désignée en application de la *Loi sur les ressources en eau du Canada*, s'il s'agit d'un dépôt qui, étant donné le genre et la quantité des déchets déposés et les conditions dans lesquelles ils sont déposés, est autorisé par des règlements établis par le gouverneur en conseil en vertu de l'alinéa a) du paragraphe (2) de l'article 16 de cette loi relativement à cette zone de gestion qualitative des eaux.

Règlements

(3) Le gouverneur en conseil peut établir, aux fins du présent article, des règlements prescrivant la nature et la quantité des déchets, le cas échéant, qui peuvent être déposés par une personne ou un navire dans les eaux arctiques ou en tout endroit sur le continent ou les îles de l'Arctique canadien, dans des conditions telles que ces déchets ou tout autre déchet résultant du dépôt peuvent atteindre les eaux arctiques et prescrivant les conditions dans lesquelles ces déchets peuvent être déposés.

5. (1) Quiconque

a) a déposé des déchets en violation du paragraphe (1) de l'article 4, ou
b) entreprend sur le continent ou les îles de l'Arctique canadien ou dans les eaux

Signalement du dépôt des déchets ou du danger qu'il présente

tic or in the arctic waters that, by reason of any accident or other occurrence, is in danger of causing any deposit of waste described in that subsection otherwise than of a type, in a quantity and under conditions prescribed by regulations made under that section,

shall forthwith report the deposit of waste or the accident or other occurrence to a pollution prevention officer at such location and in such manner as may be prescribed by the Governor in Council.

Report by
master
of ship

(2) The master of any ship that has deposited waste in violation of subsection (1) of section 4, or that is in distress and for that reason is in danger of causing any deposit of waste described in that subsection otherwise than of a type, in a quantity and under conditions prescribed by regulations made under that section, shall forthwith report the deposit of waste or the condition of distress to a pollution prevention officer at such location and in such manner as may be prescribed by the Governor in Council.

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Civil
liability
resulting
from
deposit
of waste

6. (1) The following persons, namely:
(a) any person who is engaged in exploring for, developing or exploiting any natural resource on any land adjacent to the arctic waters or in any submarine area subjacent to the arctic waters,
(b) any person who carries on any undertaking on the mainland or islands of the Canadian arctic or in the arctic waters, and
(c) the owner of any ship that navigates within the arctic waters and the owner or owners of the cargo of any such ship,
are respectively liable and, in the case of the owner of a ship and the owner or owners of the cargo thereof, are jointly and severally liable, up to the amount determined in the manner provided by regulations made under section 9 in respect of the activity or undertaking so engaged in or carried on or in respect of that ship, as the case may be,

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arctiques une opération qui, du fait d'un accident ou de tout autre événement, menace de provoquer un dépôt de déchets visé à ce paragraphe, dont la nature, la quantité et les conditions seraient autres que celles prescrites par les règlements établis en vertu de cet article,

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doit immédiatement signaler le dépôt de déchets, l'accident ou autre événement à un fonctionnaire chargé de la prévention de la pollution, au lieu et de la manière que peut prescrire le gouverneur en conseil.

Rapport fait
par le capi-
taine du na-
vire

(2) Le capitaine de tout navire qui a déposé des déchets en violation du paragraphe (1) de l'article 4 ou qui est en détresse et qui, pour cette raison, menace de provoquer un dépôt de déchets visé à ce paragraphe dont la nature, la quantité et les conditions seraient autres que celles prescrites par les règlements établis en vertu de cet article doit immédiatement signaler le dépôt de déchets ou l'état de détresse à un fonctionnaire chargé de la prévention de la pollution, au lieu et de la manière que peut prescrire le gouverneur en conseil.

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Responsabi-
lité civile
résultant
d'un dépôt de
déchets

6. (1) Les personnes suivantes, savoir:
a) toute personne qui s'occupe de prospection, de mise en valeur ou d'exploitation d'une ressource naturelle sur toute terre contiguë aux eaux arctiques ou dans toute zone sous-marine des eaux arctiques,
b) toute personne qui entreprend une opération sur le continent ou les îles de l'Arctique canadien ou dans les eaux arctiques; et
c) le propriétaire de tout navire qui navigue dans les eaux arctiques et le ou les propriétaires de la cargaison d'un tel navire,

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sont respectivement responsables et, s'il s'agit du propriétaire d'un navire et du ou des propriétaires de sa cargaison, sont solidairement responsables jusqu'à concurrence du montant déterminé de la manière prévue par les règlements établis en vertu de l'article 9 quant à l'activité ou à l'opération ainsi poursuivie ou quant à ce navire, selon le cas,

(d) for all costs and expenses of and incidental to the taking of action described in subsection (2) on the direction of the Governor in Council, and

(e) for all actual loss or damage incurred by other persons

resulting from any deposit of waste described in subsection (1) of section 4 that is caused by or is otherwise attributable to that activity or undertaking or that ship, 10 as the case may be.

Costs and
expenses
of Her
Majesty

(2) Where the Governor in Council directs any action to be taken by or on behalf of Her Majesty in right of Canada to repair or remedy any condition that results 15 from a deposit of waste described in subsection (1), or to reduce or mitigate any damage to or destruction of life or property that results or may reasonably be expected to result from such deposit of waste, the 20 costs and expenses of and incidental to the taking of such action, to the extent that such costs and expenses can be established to have been reasonably incurred in the circumstances, are, subject to this section, 25 recoverable by Her Majesty in right of Canada from the person or persons described in paragraph (a), (b) or (c) of that subsection, with costs, in proceedings brought or taken therefor in the name of 30 Her Majesty.

Procedure
for recovery
of claims

(3) All claims pursuant to this section against a person or persons described in paragraph (a), (b) or (c) of subsection (1) may be sued for and recovered in any 35 court of competent jurisdiction in Canada, and all such claims shall rank *pari passu* up to the limit of the amount determined in the manner provided by regulations made under section 9 in respect of the 40 activity or undertaking engaged in or carried on by the person or persons against whom the claims are made, or in respect of the ship of which any such person is the

d) de tous les frais et dépenses directs et indirects relatifs à des mesures visées au paragraphe (2) et prises sur les directives du gouverneur en conseil, et

e) de l'intégralité de la perte ou des 5 dommages réels subis par d'autres personnes,

résultant d'un dépôt de déchets visé au paragraphe (1) de l'article 4 qui est dû à cette activité, cette opération ou ce navire, 10 ou leur est autrement attribuable, selon le cas.

(2) Lorsque le gouverneur en conseil ordonne que des mesures soient prises par Sa Majesté du chef du Canada ou pour son 15 compte en vue de redresser la situation qui résulte d'un dépôt de déchets visé au paragraphe (1) ou d'y remédier ou en vue de réduire ou d'atténuer tout dommage causé à la vie ou aux biens ou toute destruction 20 de ceux-ci qui résultent ou risquent normalement de résulter de ce dépôt de déchets, les frais et dépenses directs ou indirects relatifs à ces mesures, pour autant que l'on puisse établir qu'ils ont été nor- 25 malement encourus dans les circonstances, peuvent, sous réserve du présent article, être recouvrés par Sa Majesté du chef du Canada sur la ou les personnes visées aux alinéas a), b) ou c) de ce paragraphe, en 30 même temps que les frais des poursuites intentées ou engagées à cette fin au nom de Sa Majesté.

Frais et dé-
penses de Sa
Majesté

(3) Toutes les réclamations en applica- 35 tion du présent article contre une ou des personnes visées aux alinéas a), b) ou c) du paragraphe (1) peuvent être portées en justice pour recouvrement devant tout tribunal compétent au Canada; elles viennent toutes au même rang jusqu'à concurrence 40 du montant déterminé de la manière prévue par les règlements établis en vertu de l'article 9, quant à l'activité ou à l'opération poursuivie par la ou les personnes contre lesquelles les réclamations sont faites ou 45 quant au navire dont une de ces personnes

Procédure
de recouvre-
ment en
matière de
réclamations

owner or of all or part of whose cargo any such person is the owner.

est propriétaire ou de la cargaison duquel une de ces personnes est propriétaire, en tout ou partie.

Limitation
period

(4) No proceedings in respect of a claim pursuant to this section shall be commenced after two years from the time when the deposit of waste in respect of which the proceedings are brought or taken occurred or first occurred, as the case may be, or could reasonably be expected to have become known to those affected thereby.

(4) Aucune procédure relative à une réclamation en application du présent article ne doit être intentée après deux années à compter du moment où le dépôt de déchets ayant motivé les procédures engagées est intervenu ou est intervenu pour la première fois, selon le cas, ou à compter du moment où on aurait pu raisonnablement s'attendre à ce qu'il soit connu de ceux qui en ont été affectés.

Limitation

Nature and
extent of
liability

7. (1) The liability of any person pursuant to section 6 is absolute and does not depend upon proof of fault or negligence, except that no person is liable pursuant to that section for any costs, expenses or actual loss or damage incurred by another person whose conduct caused any deposit of waste described in subsection (1) of that section, or whose conduct contributed to any such deposit of waste, to the degree to which his conduct contributed thereto, and nothing in this Act shall be construed as limiting or restricting any right of recourse or indemnity that a person liable pursuant to section 6 may have against any other person.

7. (1) La responsabilité de toute personne en application de l'article 6 est une responsabilité absolue, et non subordonnée à la preuve d'une faute ou d'une négligence, avec cette restriction qu'aucune personne n'est responsable, en application de cet article, des frais, dépenses, pertes ou dommages réels encourus par une autre personne dont la conduite a provoqué un dépôt de déchets visé au paragraphe (1) de cet article, ou dont la conduite a contribué à un tel dépôt, dans la mesure où sa conduite y a contribué, et rien dans la présente loi ne doit être interprété comme limitant ou restreignant tout droit de recours ou droit à une indemnité qu'une personne responsable en application de l'article 6 peut avoir contre une autre personne.

Nature et
étendue de
la respon-
sabilité

Idem

(2) For the purposes of subsection (1), a reference to any conduct of "another person" includes any wrongful act or omission by that other person or by any person for whose wrongful act or omission that other person is by law responsible.

(2) Aux fins du paragraphe (1), lorsqu'il est fait mention de la conduite d'une «autre personne», cela s'entend d'un acte ou d'une omission dommageable imputable à cette autre personne ou à toute personne dont cette autre personne répond légalement.

Idem

Limitation
on liability
of cargo
owner

(3) Notwithstanding anything in this Act, no person is liable pursuant to section 6, either alone or jointly and severally with any other person or persons, by reason only of his being the owner of all or any part of the cargo of a ship if he can establish that the cargo or part thereof of which he is the owner is of such a nature, or is of such a nature and is carried in such a quantity that, if it and any other cargo of the same nature that is carried by that ship were deposited by that ship in

(3) Nonobstant toute disposition de la présente loi, aucune personne n'est responsable, en application de l'article 6, soit seule soit solidairement avec une autre ou d'autres personnes, du seul fait qu'elle est le propriétaire de tout ou partie de la cargaison d'un navire, si elle peut établir que la cargaison ou une partie de celle-ci dont elle est le propriétaire est d'une nature telle, ou est d'une nature telle et est transportée en une telle quantité que si cette cargaison et toute autre cargaison de la



the arctic waters, the deposit thereof would not constitute a violation of subsection (1) of section 4.

même nature ou d'une nature similaire qui est transportée par ce navire étaient déposées par ce navire dans une zone des eaux arctiques, le dépôt ne constituerait pas une violation du paragraphe (1) de l'article 4. 5

Evidence of financial responsibility to be provided

8. (1) The Governor in Council may require

(a) any person who engages in exploring for, developing or exploiting any natural resource on any land adjacent to the arctic waters or in any submarine area subjacent to the arctic waters, 10

(b) any person who carries on any undertaking on the mainland or islands of the Canadian arctic or in the arctic waters that will or is likely to result in the deposit of waste in the arctic waters or in any place under any conditions where such waste or any other waste that results from the deposit of such waste may enter the arctic waters, 15

(c) any person, other than a person 20 described in paragraph (a), who proposes to construct, alter or extend any work or works on the mainland or islands of the Canadian arctic or in the arctic waters that, upon completion 25 thereof, will form all or part of an undertaking described in paragraph (b), or

(d) the owner of any ship that proposes to navigate or that navigates within any shipping safety control zone specified by 30 the Governor in Council and, subject to subsection (3) of section 7, the owner or owners of the cargo of any such ship,

to provide evidence of financial responsibility, in the form of insurance or an indemnity bond satisfactory to the Governor in Council, or in any other form satisfactory to him, in an amount determined in the manner provided by regulations made 40 under section 9.

Persons entitled to claim against insurance or bond

(2) Evidence of financial responsibility in the form of insurance or an indemnity bond shall be in a form that will enable any person entitled pursuant to section 6 to 45 claim against the person or persons giving such evidence of financial responsibility

8. Le gouverneur en conseil peut exiger

a) de toute personne qui s'occupe de prospection, de mise en valeur ou d'exploitation d'une ressource naturelle sur toute terre contiguë aux eaux arctiques 10 ou dans toute zone sous-marine des eaux arctiques;

b) de toute personne qui se livre à une opération sur le continent ou les îles de l'Arctique canadien ou dans les eaux 15 arctiques qui entraînera ou aura vraisemblablement pour effet d'entraîner le dépôt de déchets dans les eaux arctiques ou dans un lieu et dans des conditions où ces déchets ou d'autres déchets résultant du dépôt peuvent atteindre les 20 eaux arctiques;

c) de toute personne, autre qu'une personne visée à l'alinéa a), qui se propose de construire, modifier ou agrandir sur 25 le continent ou dans les îles de l'Arctique canadien ou dans les eaux arctiques un ou plusieurs ouvrages qui, une fois terminés constitueront tout ou partie d'une opération visée à l'alinéa b), ou 30

d) du propriétaire de tout navire qui se propose de naviguer ou qui navigue à l'intérieur d'une zone de contrôle de la sécurité de la navigation spécifiée par le gouverneur en conseil et, sous réserve 35 du paragraphe (3) de l'article 7, du ou des propriétaires de la cargaison d'un tel navire,

de fournir une preuve de leur solvabilité sous forme d'une assurance, d'un cautionnement ou autre forme, qui satisfasse le 40 gouverneur en conseil, d'un montant déterminé de la manière prévue par les règlements établis en vertu de l'article 9.

(2) Preuve de la solvabilité sous la 45 forme d'une assurance ou d'un cautionnement doit être fournie sous une forme qui permette à toute personne ayant droit, en application de l'article 6, de présenter une réclamation contre la personne ou les 50

Preuve de solvabilité

Personnes en droit de demander la réalisation de l'assurance ou du cautionnement

to recover directly from the proceeds of such insurance or bond.

personnes fournissant cette preuve de solvabilité d'en recouvrer directement le quantum sur le produit de la réalisation de cette assurance ou de ce cautionnement.

Regulations respecting manner of determining limit of liability

9. The Governor in Council may make regulations for the purposes of section 6 prescribing, in respect of any activity or undertaking engaged in or carried on by any person or persons described in paragraph (a), (b) or (c) of subsection (1) of section 6, or in respect of any ship of which any such person is the owner or of all or part of whose cargo any such person is the owner, the manner of determining the limit of liability of any such person or persons pursuant to that section, which prescribed manner shall, in the case of the owner of any ship and the owner or owners of the cargo thereof, take into account the size of such ship and the nature and quantity of the cargo carried or to be carried by it.

9. Le gouverneur en conseil peut établir des règlements aux fins de l'article 6 prescrivant, quant à toute activité ou opération poursuivie par une ou des personnes visées aux alinéas a), b) ou c) du paragraphe (1) de l'article 6, ou quant à tout navire dont une telle personne est le propriétaire ou de la cargaison duquel une telle personne est le propriétaire en tout ou partie, la méthode de détermination de la limite de la responsabilité d'une telle ou de telles personnes en application de cet article, ladite méthode prescrite devant, lorsqu'il s'agit du propriétaire d'un navire et du ou des propriétaires de sa cargaison, tenir compte de la dimension du navire et de la nature et la quantité de la cargaison transportée ou à transporter par le navire.

5 Règlements concernant la méthode de détermination de la limite de la responsabilité

PLANS AND SPECIFICATIONS OF WORKS

PLANS ET DEVIS DES OUVRAGES

Plans and specifications to be provided

10. (1) The Governor in Council may require any person who proposes to construct, alter or extend any work or works on the mainland or islands of the Canadian arctic or in the arctic waters that, upon completion thereof, will form all or part of an undertaking the operation of which will or is likely to result in the deposit of waste of any type in the arctic waters or in any place under any conditions where such waste or any other waste that results from the deposit of such waste may enter the arctic waters, to provide him with a copy of such plans and specifications relating to the work or works as will enable him to determine whether the deposit of waste that will or is likely to occur if the construction, alteration or extension is carried out in accordance therewith would constitute a violation of subsection (1) of section 4.

10. (1) Le gouverneur en conseil peut exiger de toute personne qui se propose de construire, modifier ou agrandir sur le continent ou sur les îles de l'Arctique canadien ou dans les eaux arctiques un ou plusieurs ouvrages qui, lorsqu'ils seront terminés, constitueront tout ou partie d'une entreprise dont l'exploitation aura ou risquera d'avoir pour résultat le dépôt de déchets de tout genre dans les eaux arctiques ou dans un lieu et dans des conditions où ces déchets ou d'autres déchets résultant de leur dépôt peuvent atteindre les eaux arctiques, qu'elle lui fournisse une copie des plans et devis, relatifs à l'ouvrage ou aux ouvrages, qui lui permettent de déterminer si le dépôt de déchets qui aura ou risquera d'avoir lieu si la construction, la modification ou l'agrandissement sont réalisés conformément à ces plans et devis constituerait une violation du paragraphe (1) de l'article 4.

Plans et devis devant être fournis

Powers of Governor in Council

(2) If, after reviewing any plans and specifications provided to him under subsection (1) and affording to the person who

(2) Si, après l'examen de plans et devis qui lui sont fournis en vertu du paragraphe (1) et après avoir accordé à la personne qui

Pouvoirs du gouverneur en conseil

provided those plans and specifications a reasonable opportunity to be heard, the Governor in Council is of the opinion that the deposit of waste that will or is likely to occur if the construction, alteration or extension is carried out in accordance with such plans and specifications would constitute a violation of subsection (1) of section 4, he may, by order, either

(a) require such modifications in those plans and specifications as he considers to be necessary, or

(b) prohibit the carrying out of the construction, alteration or extension.

SHIPPING SAFETY CONTROL ZONES

Prescription
of shipping
safety control zones

11. (1) Subject to subsection (2), the Governor in Council may, by order, prescribe as a shipping safety control zone any area of the arctic waters specified in the order, and may, as he deems necessary, amend any such area.

Publication
of proposed
orders

(2) A copy of each order that the Governor in Council proposes to make under subsection (1) shall be published in the *Canada Gazette*; and no order may be made by the Governor in Council under subsection (1) based upon any such proposal except after the expiration of sixty days following publication of the proposal in the *Canada Gazette*.

Regulations
relating to
navigation in
shipping
safety control zones

12. (1) The Governor in Council may make regulations applicable to ships of any class or classes specified therein, prohibiting any ship of that class or of any of those classes from navigating within any shipping safety control zone specified therein

(a) unless the ship complies with standards prescribed by the regulations relating to

(i) hull and fuel tank construction, including the strength of materials

a fourni ces plans et devis une possibilité raisonnable d'être entendue, le gouverneur en conseil est d'avis que le dépôt de déchets qui aura ou risquera d'avoir lieu si la construction, la modification ou l'agrandissement sont réalisés conformément à ces plans et devis constituerait une violation du paragraphe (1) de l'article 4, il peut, par décret

a) soit exiger que soient apportés aux plans et devis les changements qu'il estime nécessaires,

b) soit interdire la réalisation de la construction, de la modification ou de l'agrandissement.

ZONES DE CONTRÔLE DE LA SÉCURITÉ DE LA NAVIGATION

11. (1) Sous réserve du paragraphe (2), le gouverneur en conseil peut, par décret, prescrire à titre de zone de contrôle de la sécurité de la navigation toute zone des eaux arctiques spécifiée dans le décret et peut, s'il l'estime nécessaire, modifier une telle zone.

(2) Une copie de chaque décret que le gouverneur en conseil se propose de prendre en vertu du paragraphe (1) doit être publiée dans la *Gazette du Canada*; et aucun décret fondé sur un tel projet de décret ne peut être pris par le gouverneur en conseil, en vertu du paragraphe (1), avant l'expiration d'un délai de soixante jours à partir de la publication du projet dans la *Gazette du Canada*.

12. (1) Le gouverneur en conseil peut établir des règlements applicables aux navires d'une ou plusieurs catégories y spécifiées et faisant défense à tout navire de cette catégorie ou de l'une ou plusieurs de ces catégories de naviguer à l'intérieur de toute zone de contrôle de la sécurité de la navigation y spécifiée

a) à moins que le navire ne satisfasse aux normes prescrites par les règlements ayant trait

(i) à la construction de la coque et de la soute à combustible, notamment à

Prescription
des zones de
contrôle de la
sécurité de la
navigation

Publication
des projets
de décrets

Règlements
ayant trait à
la navigation
dans les
zones de
contrôle de la
sécurité de
la navigation

used therein, the use of double hulls and the subdivision thereof into watertight compartments,

(ii) the construction of machinery and equipment and the electronic and other navigational aids and equipment and telecommunications equipment to be carried and the manner and frequency of maintenance thereof,

(iii) the nature and construction of propelling power and appliances and fittings for steering and stabilizing,

(iv) the manning of the ship, including the number of navigating and look-out personnel to be carried who are qualified in a manner prescribed by the regulations,

(v) with respect to any type of cargo to be carried, the maximum quantity thereof that may be carried, the method of stowage thereof and the nature or type and quantity of supplies and equipment to be carried for use in repairing or remedying any condition that may result from the deposit of any such cargo in the arctic waters,

(vi) the freeboard to be allowed and the marking of load lines,

(vii) quantities of fuel, water and other supplies to be carried, and

(viii) the maps, charts, tide tables and any other documents or publications relating to navigation in the arctic waters to be carried;

(b) without the aid of a pilot, or of an ice navigator who is qualified in a manner prescribed by the regulations, at any time or during any period or periods of the year, if any, specified in the regulations, or without icebreaker assistance of a kind prescribed by the regulations; and

(c) during any period or periods of the year, if any, specified in the regulations or when ice conditions of a kind specified in the regulations exist in that zone.

celles relatives à la résistance des matériaux employés, à l'usage de coques doubles et à leur subdivision en compartiments étanches;

(ii) à la construction de la machinerie et de l'équipement ainsi qu'aux aides à la navigation et à l'équipement, électroniques ou non, et à l'équipement de télécommunications devant être à bord de même qu'à leur mode d'entretien et à la fréquence de l'entretien;

(iii) à la nature et à la construction de l'organe de propulsion et des appareils et installations nécessaires à la manœuvre de la barre et à la stabilisation du navire;

(iv) à l'équipage du navire, notamment au nombre des membres du personnel de navigation et de veille qui doivent être à bord et dont la compétence est établie de la manière prescrite par les règlements;

(v) pour tout type de cargaison à transporter, à la quantité maximale qui peut être transportée, à la méthode d'arrimage et à la nature ou au type et à la quantité des fournitures et de l'équipement devant être à bord en vue de redresser toute situation qui peut résulter du dépôt d'une telle cargaison dans les eaux arctiques ou d'y remédier,

(vi) au franc-bord autorisé et au marquage des lignes de charge,

(vii) aux quantités de combustible, d'eau et autres fournitures devant être à bord, et

(viii) aux cartes marines et autres, aux tables des marées et à tous autres documents ou toutes autres publications se rapportant à la navigation dans les eaux arctiques devant être à bord;

b) sans l'aide d'un pilote, ou d'un navigateur dont la compétence est établie de la manière prescrite dans les règlements, pour la navigation dans les glaces à tout moment ou pendant la ou les périodes de l'année que spécifient les règlements, le cas échéant, ou sans l'assistance d'un brise-glace d'un genre prescrit par les règlements;

C

Orders
exempting
certain
ships

(2) The Governor in Council may by order exempt from the application of any regulations made under subsection (1) any ship or class of ship that is owned or operated by a sovereign power other than Canada where the Governor in Council is satisfied that appropriate measures have been taken by or under the authority of that sovereign power to ensure the compliance of such ship with, or with standards substantially equivalent to, standards prescribed by regulations made under paragraph (a) of subsection (1) that would otherwise be applicable to it within any shipping safety control zone, and that in all other respects all reasonable precautions have been or will be taken to reduce the danger of any deposit of waste resulting from the navigation of such ship within that shipping safety control zone.

Certificates
evidencing
compliance

(3) The Governor in Council may make regulations providing for the issue to the owner or master of any ship that proposes to navigate within any shipping safety control zone specified therein, of a certificate evidencing, in the absence of any evidence to the contrary, the compliance of such ship with standards prescribed by regulations made under paragraph (a) of subsection (1) that are or would be applicable to it within that shipping safety control zone, and governing the use that may be made of any such certificate and the effect that may be given thereto for the purposes of any provision of this Act.

Destruction
or removal
of ships
in distress

13. (1) Where the Governor in Council has reasonable cause to believe that a ship that is within the arctic waters and is in distress, stranded, wrecked, sunk or abandoned, is depositing waste or is likely to deposit waste in the arctic waters, he may cause the ship or any cargo or other mate-

c) pendant la ou les périodes de l'année que spécifient les règlements, le cas échéant, ou lorsque règne, dans cette zone, un état des glaces d'un genre spécifié dans les règlements.

5

Décrets
exemptant
certains
navires

(2) Le gouverneur en conseil peut, par décret, exempter de l'application des règlements établis en vertu du paragraphe (1) un navire ou une catégorie de navires qui est la propriété d'un État souverain autre que le Canada ou que cet État souverain exploite, lorsque le gouverneur en conseil est convaincu que des mesures appropriées ont été prises par cet l'État souverain ou sous son autorité pour que ce navire réponde aux normes prescrites par les règlements établis en vertu de l'alinéa a) du paragraphe (1) ou à des normes essentiellement similaires qui lui seraient autrement applicables à l'intérieur d'une zone de contrôle de la sécurité de la navigation, et qu'à tous autres égards, toutes les précautions raisonnables ont été ou seront prises pour réduire le danger de tout dépôt de déchets résultant de la navigation de ce navire à l'intérieur de cette zone de contrôle de la sécurité de la navigation.

Certificats
d'attestation

(3) Le gouverneur en conseil peut établir des règlements prévoyant la délivrance, au propriétaire ou au capitaine d'un navire qui se propose de naviguer dans une zone de contrôle de la sécurité de la navigation qui y est spécifiée, d'un certificat indiquant, en l'absence de toute preuve contraire, que le navire répond aux normes prescrites par les règlements établis en vertu de l'alinéa a) du paragraphe (1) qui lui sont ou lui seraient applicables à l'intérieur de cette zone de contrôle de la sécurité de la navigation et régissant l'utilisation et la portée que peut avoir un tel certificat aux fins de toute disposition de la présente loi.

Destruction
ou enlèvement
des
bateaux
en détresse

13. (1) Lorsque le gouverneur en conseil a des raisons de croire qu'un navire qui se trouve dans les eaux arctiques et qui est en détresse, échoué, naufragé, coulé ou abandonné est en train de déposer des déchets ou est vraisemblablement sur le point de déposer des déchets dans les eaux arctiques,

rial on board the ship to be destroyed, if necessary, or to be removed if possible to such place and sold in such manner as he may direct.

il peut faire détruire le navire ou toute cargaison ou objets à bord du navire, si cela est nécessaire, ou le faire enlever, si cela est possible et l'acheminer en un lieu et le faire vendre de la manière qu'il peut ordonner.

Application
of proceeds
of sale

(2) The proceeds from the sale of a ship or any cargo or other material pursuant to subsection (1) shall be applied towards meeting the expenses incurred by the Government of Canada in removing and selling the ship, cargo or other material, and any surplus shall be paid to the owner of that ship, cargo or other material.

(2) Le produit de la vente d'un navire ou de toute cargaison ou de tous autres objets effectuée en application du paragraphe (1), doit être affecté au règlement des dépenses encourues par le gouvernement du Canada en enlevant et en vendant le navire, la cargaison ou les autres objets et tout excédent doit être versé au propriétaire de ce navire, de cette cargaison ou de ces autres objets.

Affectation
du produit
de la vente

POLLUTION PREVENTION OFFICERS

FONCTIONNAIRES CHARGÉS DE LA PRÉVENTION DE LA POLLUTION

Appointment

14. (1) The Governor in Council may designate any person as a pollution prevention officer with such of the powers set out in sections 15 and 23 as are specified in the certificate of designation of such person.

14. (1) Le gouverneur en conseil peut désigner toute personne compétente à titre de fonctionnaire chargé de la prévention de la pollution avec ceux des pouvoirs énoncés aux articles 15 et 23, qui sont indiqués dans son certificat de désignation.

Nomination

Certificate
of
designation

(2) A pollution prevention officer shall be furnished with a certificate of his designation specifying the powers set out in sections 15 and 23 that are vested in him, and a pollution prevention officer, on exercising any such power shall, if so required, produce the certificate to any person in authority who is affected thereby and who requires him to do so.

(2) Un fonctionnaire chargé de la prévention de la pollution doit être pourvu d'un certificat de sa désignation spécifiant les pouvoirs énoncés aux articles 15 et 23 qui lui sont conférés, et un fonctionnaire chargé de la prévention de la pollution doit, en exerçant un de ses pouvoirs, produire s'il en est requis, le certificat à toute personne responsable qui est concernée et qui lui demande de le faire.

Certificat de
désignation

Powers

15. (1) A pollution prevention officer may, at any reasonable time,
(a) enter any area, place or premises (other than a ship, a private dwelling place or any part of any area, place or premises other than a ship that is designed to be used and is being used as a permanent or temporary private dwelling place) occupied by any person described in paragraph (a) or (b) of subsection (1) of section 8, in which he reasonably believes

15. (1) Un fonctionnaire chargé de la prévention de la pollution peut, à tout moment raisonnable,
a) entrer dans toute zone, tout lieu ou local (autre qu'un navire, une résidence particulière, ou une partie d'une zone, d'un lieu ou local, autre qu'un navire, qui est conçue pour être utilisée et est utilisée à titre de résidence particulière permanente ou temporaire) occupés par une personne désignée aux alinéas a) ou b) du paragraphe (1) de l'article 8, lorsqu'il a des raisons de croire

Pouvoirs

(i) there is being or has been carried on any activity that may result in or has resulted in waste, or

(ii) there is any waste

that may be or has been deposited in the arctic waters or on the mainland or islands of the Canadian arctic under any conditions where such waste or any other waste that results from the deposit of such waste may enter the arctic waters in violation of subsection (1) of section 4;

(b) examine any waste found therein in bulk or open any container found therein that he has reason to believe contains any waste and take samples thereof; and

(c) require any person in such area, place or premises to produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books or other documents or papers concerning any matter relevant to the administration of this Act or the regulations.

Powers in relation to works

(2) A pollution prevention officer may, at any reasonable time,

(a) enter any area, place or premises (other than a ship, a private dwelling place or any part of any area, place or premises other than a ship that is designed to be used and is being used as a permanent or temporary private dwelling place) in which any construction, alteration or extension of a work is being carried on; and

(b) conduct such inspections of the work or works being constructed, altered or extended as he deems necessary in order to determine whether any plans and specifications provided to the Governor in Council, and any modifications required by the Governor in Council, are being complied with.

Powers in relation to ships

(3) A pollution prevention officer may

(a) go on board any ship that is within a shipping safety control zone and conduct such inspections thereof as will

(i) que l'on s'y livre ou on s'y est livré à une activité qui peut produire ou a produit des déchets, ou

(ii) qu'il s'y trouve des déchets

qui peuvent être ou ont été déposés dans les eaux arctiques, ou sur le continent ou les îles de l'Arctique canadien; dans des conditions telles que ces déchets ou tout autre déchet résultant du dépôt peuvent atteindre les eaux arctiques en violation du paragraphe (1) de l'article 4;

b) examiner tous déchets qui s'y trouvent en vrac ou ouvrir tout récipient qui s'y trouve s'il a des raisons de croire qu'il contient des déchets et en prélever des échantillons;

c) requérir toute personne dans cette zone, ce lieu ou ce local, de produire pour fins d'inspection, ou pour permettre d'en prendre des copies ou extraits, les livres ou autres documents ou pièces concernant toute question pertinente à l'application de la présente loi ou des règlements.

(2) Un fonctionnaire chargé de la prévention de la pollution peut, à tout moment raisonnable,

Pouvoirs par rapport aux travaux

a) entrer dans toute zone, tout lieu ou local (autre qu'un navire, qu'une résidence particulière ou qu'une partie d'une zone, d'un lieu ou local autre qu'un navire, qui est conçue pour être utilisée et est utilisée à titre de résidence particulière ou permanente) où l'on réalise une construction, une modification ou un agrandissement d'un ou plusieurs ouvrages visés à l'article 10; et

b) diriger les inspections de l'ouvrage ou des ouvrages que l'on construit, modifie ou agrandit selon qu'il le juge nécessaire en vue de déterminer si l'on se conforme à tous plans et devis fournis au gouverneur en conseil et à toutes modifications requises par le gouverneur en conseil.

45

(3) Un fonctionnaire chargé de la prévention de la pollution peut,

Pouvoirs par rapport aux navires

a) monter à bord de tout navire se trouvant dans une zone de contrôle de la

enable him to determine whether the ship complies with standards prescribed by any regulations made under section 12 that are applicable to it within that shipping safety control zone;

(b) order any ship that is in or near a shipping safety control zone to proceed outside such zone in such manner as he may direct, to remain outside such zone or to anchor in a place selected by him,

(i) if he suspects, on reasonable grounds, that the ship fails to comply with standards prescribed by any regulations made under section 12 that are or would be applicable to it within that shipping safety control zone,

(ii) if such ship is within the shipping safety control zone or is about to enter the zone in contravention of a regulation made under paragraph (b) or (c) of subsection (1) of section 12, or

(iii) if, by reason of weather, visibility, ice or sea conditions, the condition of the ship or its equipment or the nature or condition of its cargo, he is satisfied that such an order is justified in the interests of safety; and

(c) where he is informed that a substantial quantity of waste has been deposited in the arctic waters or has entered the arctic waters, or where on reasonable grounds, he is satisfied that a grave and imminent danger of a substantial deposit of waste in the arctic waters exists,

(i) order all ships within a specified area of the arctic waters to report their positions to him, and

(ii) order any ship to take part in the clean-up of such waste or in any action to control or contain the waste.

sécurité de la navigation et y diriger les inspections qui lui permettront de déterminer si le navire satisfait aux normes prévues dans des règlements établis en vertu de l'article 12 et qui lui sont applicables dans cette zone de contrôle de la sécurité de la navigation;

b) ordonner à tout navire se trouvant dans une zone de contrôle de la sécurité de la navigation ou près de cette zone, d'en sortir de la manière qu'il peut ordonner, de rester en dehors de cette zone ou de mouiller dans un endroit choisi par lui

(i) s'il soupçonne en se fondant sur des motifs raisonnables que le navire a omis de satisfaire aux normes prévues dans des règlements établis en vertu de l'article 12 qui lui sont ou lui auraient été applicables dans cette zone de contrôle de la sécurité de la navigation,

(ii) si le navire se trouve dans la zone de contrôle de la sécurité de la navigation ou est sur le point d'y entrer, en violation d'un règlement établi en vertu de l'alinéa b) ou c) du paragraphe (1) de l'article 12, ou

(iii) si, en raison des conditions atmosphériques, de la visibilité, l'état des glaces ou de la mer, de l'état du navire ou de son équipement ou de la nature ou de l'état de sa cargaison, il est convaincu que cet ordre se justifie dans l'intérêt de la sécurité; et

c) lorsqu'il est informé qu'une quantité importante de déchets a été déposée dans les eaux arctiques ou a atteint ces eaux, ou s'il est convaincu en se fondant sur des motifs raisonnables qu'il y a un grave et imminent danger que se produise un dépôt important de déchets dans les eaux arctiques,

(i) ordonner à tous les navires se trouvant dans une zone spécifiée des eaux arctiques, de lui signaler leur position, et

(ii) ordonner à tout navire de participer au nettoyage de ces déchets ou à toute opération pour contrôler les déchets ou les circonscrire.

Assistance
to pollution
prevention
officer

16. The owner or person in charge of any area, place or premises entered pursuant to subsection (1) or (2) of section 15, the master of any ship boarded pursuant to paragraph (a) of subsection (3) of that section and every person found in the area, place or premises or on board the ship shall give a pollution prevention officer all reasonable assistance in his power to enable the pollution prevention officer to carry out his duties and functions under this Act and shall furnish the pollution prevention officer with such information as he may reasonably require.

16. Le propriétaire ou la personne en charge d'une zone, d'un lieu ou d'un local où un fonctionnaire chargé de la prévention de la pollution est entré en conformité du paragraphe (1) ou (2) de l'article 15, le capitaine d'un navire à bord duquel un fonctionnaire chargé de la prévention de la pollution est monté en application de l'alinéa a) du paragraphe (3) de l'article 15 et toute personne qui se trouve dans la zone, le lieu ou le local ou à bord du navire, doivent fournir au fonctionnaire chargé de la prévention de la pollution toute l'aide raisonnable en leur pouvoir pour lui permettre d'exercer ses fonctions en vertu de la présente loi et lui fournir les renseignements qu'il peut raisonnablement exiger.

Aide à donner au fonctionnaire chargé de la prévention de la pollution

Obstruction
of pollution
prevention
officer

17. (1) No person shall obstruct or hinder a pollution prevention officer in the carrying out of his duties or functions under this Act.

17. (1) Nul ne doit faire obstacle à un fonctionnaire chargé de la prévention de la pollution dans l'exercice des fonctions que lui confère la présente loi.

Obstruction faite à un fonctionnaire chargé de la prévention de la pollution

False
statements

(2) No person shall knowingly make a false or misleading statement, either verbally or in writing, to a pollution prevention officer engaged in carrying out his duties or functions under this Act.

(2) Nul ne doit faire sciemment, oralement ou par écrit, une déclaration fausse ou trompeuse à un fonctionnaire chargé de la prévention de la pollution dans l'exercice des fonctions que lui confère la présente loi.

Fausse déclaration

OFFENCES

INFRACTIONS

Deposit
of waste
by persons
or ships

18. (1) Any person who violates subsection (1) of section 4 and any ship that violates that subsection is guilty of an offence and liable on summary conviction to a fine not exceeding, in the case of a person, five thousand dollars, and in the case of a ship, one hundred thousand dollars.

18. (1) Toute personne ou tout navire qui enfreint le paragraphe (1) de l'article 4 est coupable d'une infraction et passible sur déclaration sommaire de culpabilité, s'il s'agit d'une personne, d'une amende de cinq mille dollars au plus, et s'il s'agit d'un navire, d'une amende de cent mille dollars au plus.

Dépôt de déchets par des personnes ou des navires

Continuing
offences

(2) Where an offence is committed by a person under subsection (1) on more than one day or is continued by him for more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.

(2) Lorsqu'une infraction prévue au paragraphe (1) est commise par une personne et répétée à des jours différents ou se continue durant plus d'un jour, elle est censée constituer une infraction distincte pour chaque jour pendant lequel l'infraction est commise ou se continue.

Infractions continues

Additional
offences
by persons

19. (1) Any person who (a) fails to make a report to a pollution prevention officer as and when required under subsection (1) of section 5,

(1) Est coupable d'une infraction et passible sur déclaration sommaire de culpabilité d'une amende de vingt-cinq mille dollars au plus, quiconque

Autres infractions commises par des personnes

(d) that fails to comply with any order of a pollution prevention officer under paragraph (b) or (c) of subsection (3) of section 15 that is applicable to it,

(e) the master of which fails to make a report to a pollution prevention officer as and when required under subsection (2) of section 5, or

(f) the master of which or any person on board which violates section 17,

is guilty of an offence and is liable on summary conviction to a fine not exceeding twenty-five thousand dollars.

Obstruction
of
pollution
prevention
officer, etc.

(3) Any person, other than the master of a ship or any person on board a ship, who violates section 17 is guilty of an offence punishable on summary conviction.

Proof of
offence
by person

20. (1) In a prosecution of a person for an offence under subsection (1) of section 18, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without his knowledge or consent and that he exercised all due diligence to prevent its commission.

Proof of
offence by
ship

(2) In a prosecution of a ship for an offence under this Act, it is sufficient proof that the ship has committed the offence to establish that the act or neglect that constitutes the offence was committed by the master of or any person on board the ship, other than a pollution prevention officer or a pilot taken on board in compliance with a regulation made under paragraph (b) of subsection (1) of section 12, whether or not the person on board the ship

vertu de l'alinéa b) du paragraphe (1) de l'article 12, omet de se conformer à une instruction raisonnable a lui donnée par le pilote dans l'exercice de ses fonctions, en vertu de la présente loi;

d) omet de se conformer à un ordre d'un fonctionnaire chargé de la prévention de la pollution, en vertu des alinéas b) ou c) du paragraphe (3) de l'article 15, qui lui sont applicables;

e) dont le capitaine omet de faire rapport à un fonctionnaire chargé de la prévention de la pollution dans les conditions et au moment où il en est requis en vertu du paragraphe (2) de l'article 15 5; ou

f) dont le capitaine ou toute personne à bord contrevient à l'article 17.

(3) Quiconque, autre que le capitaine d'un navire ou toute personne à bord d'un navire, contrevient à l'article 16 est coupable d'une infraction sur déclaration sommaire de culpabilité.

Obstruction
faite à un
fonction-
naire chargé
de la
prévention de
la pollution,
etc.

Preuve de
l'infraction

20. (1) Dans la poursuite d'une personne pour une infraction prévue au paragraphe (1) de l'article 17, il suffit, pour établir l'infraction, de démontrer qu'elle a été commise par un employé ou un mandataire de l'accusé, que cet employé ou mandataire soit ou non identifié ou qu'il ait ou non été poursuivi pour cette infraction, à moins que cet accusé n'établisse d'une part que l'infraction a été commise sans qu'il le sache ou y consente et d'autre part qu'il s'est dûment appliqué à prévenir sa commission.

(2) Dans la poursuite d'un navire pour une infraction prévue à la présente loi, il suffit, pour établir que l'infraction est imputable au navire, de démontrer que l'acte ou la négligence constituant l'infraction ont été commis par le capitaine du navire ou par une personne à son bord, autre qu'un fonctionnaire chargé de la prévention de la pollution ou autre que le pilote pris à bord conformément aux règlements établis en vertu de l'alinéa b) du paragraphe (1)

Preuve de
l'infraction
du navire

has been identified; and for the purposes of any prosecution of a ship for failing to comply with any order or direction of a pollution prevention officer or a pilot, any order given by such pollution prevention officer or any direction given by such pilot to the master or any person on board the ship shall be deemed to have been given to the ship.

de l'article 12, que cette personne se trouvant à bord du navire ait été identifiée ou non; et aux fins de la poursuite d'un navire pour omission de se conformer à un ordre ou à une instruction d'un fonctionnaire chargé de la prévention de la pollution ou d'un pilote, un ordre donné par ce fonctionnaire ou une instruction donnée par ce pilote au capitaine du navire ou à une personne à son bord est censé avoir été donné à ce navire.

Certificate
of analyst

21. (1) Subject to this section, a certificate of an analyst stating that he has analysed or examined a sample submitted to him by a pollution prevention officer and stating the result of his analysis or examination is admissible in evidence in any prosecution for a violation of subsection (1) of section 4 and in the absence of evidence to the contrary is proof of the statements contained in the certificate without proof of the signature or the official character of the person appearing to have signed the certificate.

21. (1) Sous toute réserve prévue au présent article, un certificat d'un analyste déclarant qu'il a analysé ou examiné un échantillon que lui a soumis un fonctionnaire chargé de la prévention de la pollution indiquant le résultat de son analyse ou examen est admissible en preuve dans toute poursuite d'une violation du paragraphe (1) de l'article 4 et, en l'absence de preuve contraire, fait preuve des déclarations contenues dans le certificat sans qu'il soit nécessaire de prouver la signature de la personne par laquelle il paraît avoir été signé ni la qualité officielle de cette personne.

Certificat
d'analyste

Attendance
of analyst

(2) The party against whom a certificate of an analyst is produced pursuant to subsection (1) may, with leave of the court, require the attendance of the analyst for the purposes of cross-examination.

(2) La partie contre laquelle un certificat d'un analyste est produit en application du paragraphe (1) peut, avec l'autorisation du tribunal, exiger la présence de l'analyste pour le contre-interroger.

Présence de
l'analyste

Notice

(3) No certificate shall be received in evidence pursuant to subsection (1) unless the party intending to produce it has given to the party against whom it is intended to be produced reasonable notice of such intention together with a copy of the certificate.

(3) Aucun certificat ne doit être reçu en preuve en application du paragraphe (1), à moins que la partie qui entend le produire n'ait donné à la partie à laquelle elle entend l'opposer, un préavis suffisant de son intention de le faire, assorti d'une copie du certificat.

Avis

Jurisdiction
in relation
to offences

22. (1) Where any person or ship is charged with having committed an offence under this Act, any court in Canada that would have had cognizance of the offence if it had been committed by a person within the limits of its ordinary jurisdiction has jurisdiction to try the offence as if it had been so committed.

22. (1) Lorsqu'une personne ou un navire sont accusés d'avoir commis une infraction prévue à la présente loi, toute cour au Canada qui aurait été compétente pour juger l'infraction si elle avait été commise par une personne dans les limites de sa juridiction ordinaire, est compétente pour juger cette infraction tout comme si elle avait été ainsi commise.

Juridiction
par rapport
aux
infractions

Service on
ship and
appearance
at trial

(2) Where a ship is charged with having committed an offence under this Act, the summons may be served by leaving the same with the master or any officer of the ship or by posting the summons on some conspicuous part of the ship, and the ship may appear by counsel or agent, but if it does not appear, a summary conviction court may, upon proof of service of the summons, proceed *ex parte* to hold the trial. 10

(2) Lorsqu'un navire est accusé d'avoir commis une infraction prévue à la présente loi, les assignations peuvent être signifiées par leur remise au capitaine ou tout responsable du navire ou par leur affichage bien en évidence sur le navire et le navire peut comparaître par avocat ou par mandataire; mais s'il ne comparaît pas, une cour des poursuites sommaires peut, sur preuve de la signification des assignations, instruire le procès *ex parte*. 5 10

Signification
au navire et
sa comparu-
tion au
procès

SEIZURE AND FORFEITURE

Seizure of
ship and
cargo

23. (1) Whenever a pollution prevention officer suspects on reasonable grounds that (a) any provision of this Act or the regulations has been contravened by a ship, or

(b) the owner of a ship or the owner or owners of all or part of the cargo thereof has or have committed an offence under paragraph (b) of subsection (1) of section 19,

he may, with the consent of the Governor in Council, seize the ship and its cargo anywhere in the arctic waters or elsewhere in the territorial sea or internal or inland waters of Canada.

23. (1) Chaque fois qu'un fonctionnaire chargé de la prévention de la pollution soupçonne en se fondant sur des motifs raisonnables que

a) une disposition de la présente loi, ou des règlements a été enfreinte par un navire, ou

b) une infraction prévue à l'alinéa b) du paragraphe (1) de l'article 19 a été commise par le propriétaire d'un navire ou par le ou les propriétaires de toute partie de sa cargaison,

il peut saisir, avec l'accord du gouverneur en conseil, le navire et sa cargaison partout dans les eaux arctiques ou ailleurs dans la mer territoriale du Canada ou dans les eaux intérieures au Canada.

Saisie du
navire et de
la cargaison

Custody

(2) Subject to subsection (3) and section 24, a ship and cargo seized under subsection (1) shall be retained in the custody of the pollution prevention officer making the seizure or shall be delivered into the custody of such person as the Governor in Council directs.

(2) Sous réserve du paragraphe (3) et de l'article 24 un navire et une cargaison saisis en vertu du paragraphe (1) doivent rester sous la garde du fonctionnaire chargé de la prévention de la pollution qui a fait pratiquer la saisie ou être confiés à la garde de la personne que le gouverneur en conseil nomme.

Garde

Perishable
goods

(3) Where all or any part of a cargo seized under subsection (1) is perishable, the pollution prevention officer or other person having custody thereof may sell the cargo or the portion thereof that is perishable, as the case may be, and the proceeds of the sale shall be paid to the Receiver General or shall be deposited in a chartered bank to the credit of the Receiver General.

(3) Lorsque la totalité ou une partie d'une cargaison saisie en vertu du paragraphe (1) est périssable, le fonctionnaire chargé de la prévention de la pollution ou toute autre personne en ayant la garde peut vendre la cargaison ou sa partie périssable, selon le cas, et le produit de la vente doit être versé au receveur général ou être déposé à son compte dans une banque chartée.

Denrées
périssables

Court may
order
forfeiture

24. (1) Where a ship is convicted of an offence under this Act, or where the owner of a ship or an owner of all or part of the cargo thereof has been convicted of an offence under paragraph (b) of subsection (1) of section 19, the convicting court may, if the ship and its cargo were seized under subsection (1) of section 23, in addition to any other penalty imposed, order that the ship and cargo or the ship or its cargo or any part thereof be forfeited, and upon the making of such order the ship and cargo or the ship or its cargo or part thereof is or are forfeited to Her Majesty in right of Canada.

Forfeiture
of proceeds
of sale

(2) Where any cargo or part thereof that is ordered to be forfeited under subsection (1) has been sold under subsection (3) of section 23, the proceeds of such sale are, upon the making of such order, forfeited to Her Majesty in right of Canada.

Redelivery
of ship
and cargo
on bond

(3) Where a ship and cargo have been seized under subsection (1) of section 23 and proceedings that could result in an order that the ship and cargo be forfeited have been instituted, the court in or before which the proceedings have been instituted may, with the consent of the Governor in Council, order redelivery thereof to the person from whom they were seized upon security by bond, with two sureties, in an amount and form satisfactory to the Governor in Council, being given to Her Majesty in right of Canada.

Seized
ship, etc.
to be
returned
unless
proceedings
instituted

(4) Any ship and cargo seized under subsection (1) of section 23 or the proceeds realized from a sale of any perishable cargo under subsection (3) of that section shall be returned or paid to the person from whom the ship and cargo were seized within thirty days from the seizure thereof unless, prior to the expiration of the thirty days, proceedings are instituted in respect of an offence alleged to have been com-

La cour peut
ordonner la
confiscation

24. (1) Lorsqu'un navire est déclaré coupable d'une infraction prévue par la présente loi, ou lorsque le propriétaire d'un navire ou un propriétaire de la totalité ou d'une partie de sa cargaison a été déclaré coupable d'une infraction prévue par l'alinéa b) du paragraphe (1) de l'article 19, la cour qui prononce la condamnation peut, si le navire et sa cargaison ont été saisis en vertu du paragraphe (1) de l'article 23, en sus de toute autre peine infligée, ordonner que le navire et sa cargaison ou que le navire ou tout ou partie de sa cargaison soient confisqués et dès le prononcé d'une telle ordonnance, le navire et sa cargaison ou le navire ou tout ou partie de sa cargaison sont confisqués au profit de Sa Majesté du chef du Canada.

Confiscation
du produit
de la vente

(2) Lorsqu'une cargaison ou une partie de celle-ci ayant fait l'objet d'une ordonnance de confiscation en vertu du paragraphe (1), a été vendue en vertu du paragraphe (3) de l'article 23, le produit de cette vente, dès que cette ordonnance est rendue, est confisqué au profit de Sa Majesté du chef du Canada.

Rétrocession
du navire
et de la
cargaison
contre cau-
tionnement

(3) Lorsqu'un navire et une cargaison ont été saisis en vertu du paragraphe (1) de l'article 23 et que des poursuites, pouvant avoir pour résultat une ordonnance de confiscation du navire et de la cargaison, ont été intentées, la Cour peut, au cours des poursuites intentées, ou avant, avec l'accord du gouverneur en conseil, en ordonner la remise à la personne saisie contre dépôt auprès de Sa Majesté du chef du Canada d'une garantie sous forme de cautionnement souscrit par deux garants, en la forme et d'un montant que le gouverneur en conseil juge satisfaisants.

Rétrocession
du navire
saisi etc.,
sauf en cas
de poursuite

(4) Tout navire et toute cargaison saisis en vertu du paragraphe (1) de l'article 23 ou le produit provenant de la vente d'une cargaison périssable en vertu du paragraphe (3) dudit article, doivent être rétrocédés ou payés selon le cas à la personne dont on a saisi le navire ou la cargaison, à l'expiration des trente jours qui suivent la saisie, à moins que des poursuites n'aient été intentées dans ce délai pour une infrac-

mitted by the ship against this Act or in respect of an offence under paragraph (b) of subsection (1) of section 19 alleged to have been committed by the owner of the ship or an owner of all or part of the cargo thereof.

Disposal
of forfeited
ship

(5) Where proceedings referred to in subsection (4) are instituted and, at the final conclusion of those proceedings, a ship and cargo or ship or cargo or part thereof is or are ordered to be forfeited, they or it may, subject to section 25, be disposed of as the Governor in Council directs.

Return of
seized
ship, etc.
where no
forfeiture
ordered

(6) Where a ship and cargo have been seized under subsection (1) of section 23 and proceedings referred to in subsection (4) have been instituted, but the ship and cargo or ship or cargo or part thereof or any proceeds realized from the sale of any part of the cargo are not at the final conclusion of the proceedings ordered to be forfeited, they or it shall be returned or the proceeds shall be paid to the person from whom the ship and cargo were seized, unless there has been a conviction and a fine imposed in which case the ship and cargo or proceeds may be detained until the fine is paid, or the ship and cargo may be sold under execution in satisfaction of the fine, or the proceeds realized from a sale of the cargo or any part thereof may be applied in payment of the fine.

Protection
of persons
claiming
interest

25. (1) The provisions of section 64A of the *Fisheries Act* apply, with such modifications as the circumstances require, in respect of any ship and cargo forfeited under this Act as though the ship and cargo were, respectively, a vessel and goods forfeited under subsection (5) of section 64 of that Act.

Idem

(2) References to "the Minister" in section 64A of the *Fisheries Act* shall, in applying that section for the purposes of this Act, be read as references to the Governor in Council and the phrase "other than a person convicted of the offence

tion que le navire est accusé d'avoir commise à l'encontre de la présente loi, ou pour une infraction en vertu de l'alinéa b) du paragraphe (1) de l'article 19 que le propriétaire du navire ou un propriétaire de tout ou partie de la cargaison est accusé d'avoir commise.

Disposition
du navire
confisqué

(5) Lorsque des poursuites mentionnées au paragraphe (4) ont été intentées, et qu'elles se terminent par une ordonnance de confiscation d'un navire et d'une cargaison ou d'un navire ou de tout ou partie de sa cargaison, il en sera disposé sous réserve de l'article 25, comme l'ordonne le gouverneur en conseil.

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(6) Lorsqu'un navire et une cargaison ont été saisis en vertu du paragraphe (1) de l'article 23 et que les poursuites mentionnées au paragraphe (4) ont été intentées, mais ne se sont pas terminées par une ordonnance de confiscation du navire et de la cargaison ou du navire ou de tout ou partie de sa cargaison, ou du produit de la vente de toute partie de la cargaison, ce qui a été confisqué doit être rétrocédé ou payé, selon le cas à la personne dont on a saisi le navire ou la cargaison à moins qu'il n'y ait eu condamnation à une amende, auquel cas le navire et la cargaison ou le produit peuvent être retenus jusqu'au règlement de l'amende, ou le navire et la cargaison peuvent être vendus par voie d'exécution en paiement de l'amende, ou le produit de la vente de tout ou partie de la cargaison peut être affecté au règlement de l'amende.

Rétrocession
du navire
saisi, etc.,
en cas de
non confisca-
tion

20

25. (1) Les dispositions de l'article 64A de la *Loi sur les pêcheries* s'appliquent, avec les modifications qui s'imposent, à un navire et une cargaison saisis en vertu de la présente loi, tout comme si le navire et la cargaison étaient respectivement un vaisseau et des biens confisqués en vertu du paragraphe (5) de l'article 64 de ladite loi.

Protection
des person-
nes invo-
quant un
droit

40

(2) Les mentions du «Ministre» à l'article 64A de la *Loi sur les pêcheries* doivent se lire pour l'application de cet article aux fins de la présente loi, comme des mentions du gouverneur en conseil, et les mots «autre qu'une personne déclarée coupable

Idem

45

that resulted in the forfeiture or a person in whose possession the vessel, vehicle, article, goods or fish were when seized" shall be deemed to include a reference to the owner of the ship where it is the ship that is convicted of the offence that results in the forfeiture.

de l'infraction ayant entraîné la confiscation ou qu'une personne en la possession de qui le vaisseau, véhicule, article, effet ou poisson se trouvaient au moment où ils ont été saisis» sont censés comprendre une mention du propriétaire du navire dans le cas où c'est le navire qui est déclaré coupable de l'infraction ayant entraîné la confiscation.

DELEGATION

Delegation of powers of the Governor in Council

26. (1) The Governor in Council may, by order, delegate to any member of the Queen's Privy Council for Canada designated in the order the power and authority to do any act or thing that the Governor in Council is directed or empowered to do under this Act; and upon the making of such an order, the provision or provisions of this Act that direct or empower the Governor in Council and to which the order relates shall be read as if the title of the member of the Queen's Privy Council for Canada designated in the order were substituted therein for the expression "the Governor in Council".

Limitation

(2) This section does not apply to authorize the Governor in Council to delegate any power vested in him under this Act to make regulations, to prescribe shipping safety control zones or to designate pollution prevention officers and their powers, other than pollution prevention officers with only those powers set out in subsection (1) or (2) of section 15.

DISPOSITION OF FINES

Fines to be paid to Receiver General

27. All fines imposed pursuant to this Act belong to Her Majesty in right of Canada and shall be paid to the Receiver General.

COMING INTO FORCE

Commencement

28. This Act shall come into force on a day to be fixed by proclamation.

DÉLÉGATION

Délégation des pouvoirs du gouverneur en conseil

26. (1) Le gouverneur en conseil peut 10 déléguer, par décret, à tout membre du Conseil privé de la Reine pour le Canada, que désigne le décret, le pouvoir et l'autorité de faire tout acte ou toute chose que le gouverneur en conseil a le devoir ou le 15 pouvoir de faire, en vertu de la présente loi, et lorsque ce décret est pris, la ou les dispositions de la présente loi relatives aux devoirs et pouvoirs du gouverneur en conseil et que le décret concerne, doivent se 20 lire comme si le titre du membre du Conseil privé de la Reine pour le Canada désigné dans le décret y était substitué à l'expression «le gouverneur en conseil».

(2) Le présent article ne s'applique pas 25 pour autoriser le gouverneur en conseil à déléguer tout pouvoir que lui confère la présente loi pour établir des règlements, prévoir des zones de contrôle de la sécurité de la navigation ou désigner, en fixant leurs 30 pouvoirs, des fonctionnaires chargés de la prévention de la pollution, autres que des fonctionnaires chargés de la prévention de la pollution ne détenant que les pouvoirs indiqués au paragraphe (1) ou (2) de l'ar- 35 ticle 15.

DISPOSITION DES AMENDES

Amendes à payer au receveur général

27. Toutes les amendes infligées en application de la présente loi appartiennent à Sa Majesté du chef du Canada et doivent être versées au receveur général du Ca- 40 nada.

ENTRÉE EN VIGUEUR

Entrée en vigueur

28. La présente loi entrera en vigueur à une date qui sera fixée par proclamation.

SPEECH

by

Jean Chrétien

Minister of IAND

on

**SECOND READING OF
NOTHERN INLAND
WATERS BILL**

**Delivered in the House of Commons
March 3, 1970**

Mr. Speaker:

A short time ago, I had the pleasure of announcing a major step in the development of the resources in Canada's North. That announcement concerned the Federal Government's decision to invest an additional \$13.5 million in Panarctic Oils Ltd. Today, with equal pleasure, it is my privilege to move second reading to the Northern Inland Waters Bill.

This Bill represents a major step in the protection and conservation of the ecology and resources of the Yukon and the Northwest Territories.

While pollution is a critical problem in many areas of Canada, I am happy to say that the far North has not been damaged and prospects are good. This vast region, which contains more than one-third of both the land mass and water resources of our country, is still relatively free from pollution.

Major industrial development, especially in the mining and petroleum industries, is about to get underway north of 60. By acting now, this region can be spared the disasters of environmental mismanagement that now plague other parts of Canada. We are indeed fortunate to be able to profit and learn from mistakes made elsewhere in the past.

By acting with determination and decisiveness today, we may ensure that 20 or 30 years from now we will not be faced with settling another tremendous debt as the price of indifference and mismanagement of the water resources of the North.

I have emphasized the importance of dealing effectively with water pollution in the territories. However, the Northern Inland Waters Bill is designed to do much more than that. This Bill will be the primary instrument for initiating comprehensive planning and management in developing our northern water resources.

The Bill has four main purposes:

1. to provide for the equitable distribution or sharing of rights to use water in the North among interests with legitimate and sometimes conflicting claims on this resource;
2. to ensure that the disposition or allocation of water rights is done in a manner that is consistent with immediate and long-term regional and national interests;
3. to ensure that all works and undertakings planned for the use, diversion, storage or treatment of water are designed and constructed to acceptable engineering standards.
4. to establish and maintain the principle that rights to the use of water are dependent on the users accepting full responsibility for maintaining its quality or restoring its quality to acceptable standards before returning the water to the natural environment.

I would like to look briefly at how these broad purposes will be accomplished under the Northern Inland Waters Bill.

To start with, all property in and the right to the use of surface and ground waters in the Yukon and the

Northwest Territories will be vested in the Crown. This means that *inland waters in the North will remain for all time public property to be used, managed and developed in the interest of the region and the nation as a whole.*

It also means that rights to the use of water will no longer be based on riparian principles but must be obtained from the Crown. This will be done through water licences.

The licencing procedure serves a number of functions. First of all individuals and companies applying for water licences will be required to provide details of intended use, the quantity of water required, the locations of diversions and storage and details of the plans and designs of their proposed water development undertaking. They will also have to spell out in detail the likely effects on water quality that will result from their proposed use of water, and what facilities are planned to protect or restore water quality. All these details will have to be approved by the territorial water boards before a water licence is issued.

The licencing system also provides for the orderly development of water resources. It is obvious that once a water board has issued a licence on a river or stream, they will not issue additional licences to the point where total demand exceeds available supply. This will eliminate problems associated with such obsolete systems of water rights as are presently contained in the Yukon Placer Mining Act, for example, which allots a share of water to all mining operations on a given stream, whether there is an adequate supply to meet all these needs or not. This Act replaces those provisions with a more sensible set of rules.

I have already said that territorial water boards will be responsible for issuing water licences. One of the most important features of this Bill is the creation of water boards located in each of the territorial capitals.

Up until now, various federal departments and the territorial governments have exercised whatever water responsibilities they had in a completely independent manner and with little or no co-ordination with each other. The result has been that water users in the North are subject to a wide variety of rules, regulations and directives. Northerners have long wanted a new water act which gives them a single water authority in each of our northern territories to carry out the total federal responsibility for northern water management. The Bill does this by creating two territorial water boards with just such responsibilities. The boards will be made up of the senior federal water officials in each territory and officials from the territorial governments. When a board issues a licence, or sets water standards, all federal departments and the territorial governments are party to the decisions. Co-ordination is built into the decision-making process.

We can no longer afford to manage and develop our water resources in terms of single purpose planning. Water is a unique resource which is a vital constituent in the complete range of human activity

Moreover, water does not respect political boundaries, private property or regions of influence. This means that water planning and management can no longer be carried out in neat little compartments, one concerned with water power, one for industrial processes, one for domestic requirements, another for recreation and so on.

Water management today must be based on the concept of overall basin development. It must take into account all of the various uses and needs that the water resource will be expected to meet. What is done at point A on a particular stream will have an important effect on what can be done at point B on the same stream and the two must be considered together in planning river development.

This concept of overall planning for water development in the north is clearly reflected in the Northern Inland Waters Bill. The Bill permits agreements to be made with provincial governments for joint planning on those rivers and lakes that cross the boundary along the 60th parallel. The Bill provides reserving land adjacent to important bodies of water to protect the water resources where this is deemed advisable.

This Bill recognizes the requirements for water north of the 60th parallel and ensures that they will be fully protected in the future.

The north will have increasing demand for water in the years ahead. Water will be needed for resource processing, for industrial purposes and for hydro power. The Bill protects water to meet these needs.

The economic life of much of the North and the tremendous oil exploration and drilling programs under way in the MacKenzie Valley and on the Alaska North Slope are largely dependent on maintaining the quantity of water in the MacKenzie River System. The Bill will protect this waterway.

The government has an obligation to protect the right to water of the indigenous people since many of them depend on fishing and trapping animals whose habitat is the marshes, deltas, rivers and lakes of the north. Northern lakes and rivers are one of the main breeding ground in North America for a wide variety of important bird species as well as being the home of a number of unique wild animals. This legislation will assist the Canadian Wildlife Service in its efforts to protect the ecology in the north where the balance is more delicate than elsewhere.

With the passage of this legislation, it is my firm belief that we will have all the tools we require for multi-purpose planning and rational development of our northern water resources.

Finally, I would like to say a word on the relationship of the Northern Inland Waters Bill to the Canada Water Bill. As you know, the Canada Water Bill is intended to reflect the national interest in the protection and management of water resources throughout Canada. The Canada Water Act assumes that strong regional water authorities exist in the provinces and territories, and it is a means whereby

the federal government can co-operate with provincial and territorial water authorities in the comprehensive planning and management process.

The Northern Inland Waters Bill provides just such a strong regional water authority. An authority needed for effective planning of those northern water resources that are or will be considered to be of national concern.

Before I close, Mr. Speaker, I would like to return briefly to the question of water quality. This Bill allows the water authority to write conditions for water quality protection into every water licence issued in the north. Failure to live up to these conditions can result in the suspension or cancellation of a licence. In other words, you pollute the waters of the north and you get your water cut off.

Moreover the water boards can set standards of water quality for any waters within a water management area. Polluters violating these standards can be fined up to \$5,000. per day.

The Bill provides for water quality inspectors with powers to enter any plant, mine or other undertaking to investigate processes, take samples, examine production records, check abatement facilities and generally to collect facts on water quality management. We do not intend that the effectiveness of this legislation will be lost through half-hearted or weak administration.

Mr. Speaker, conservation in the north is a matter of great interest and concern to the present government. When I assumed responsibility for Northern Development, one of the first things I did was to ask my officials to tackle the problem of conservation north of 60. We had no time to lose. I indicated at the time that we must come forward with land use regulations and water quality legislation as soon as possible.

Much has been done since then, but more will have to be done. A broad program of hydrological and ecological research has been instituted by my department in co-operation with teams from Canadian Universities. Discussions have started with industry and conservation groups on the question of environmental controls in the north. Also, during the last session of Parliament, I introduced the Oil and Gas Conservation Act, and during this session, in addition to the Northern Inland Waters Bill, legislation will be forthcoming dealing with coastal waters as well as amendments to the Territorial Lands Act.

Mr. Speaker, historical patterns of development in this country have left us with one-third of our country relatively free of water pollution. We can and must prove to the nation and the world that we are willing and able to prevent and control water pollution in the Arctic. Minimum standards of water quality must be established at this time. We cannot afford to wait.

In closing, Mr. Speaker, I would ask all Members of the House to give the Northern Inland Waters Bill their full support.

COMMUNIQUE



**DEPARTMENT OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT**

**MINISTÈRE DES AFFAIRES INDIENNES
ET DU NORD CANADIEN**

FOR IMMEDIATE RELEASE

ADDRESS BY THE
HONOURABLE JEAN CHRÉTIEN
MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
TO THE HOUSE OF COMMONS
ON SECOND READING OF THE
ARCTIC WATERS POLLUTION PREVENTION BILL

April 16, 1970

Mr. Speaker:

The Bill which we consider to-day, concerning an Act to Prevent Pollution of Areas of the Arctic Waters adjacent to the Mainland and Islands of Canadian Arctic, is one of the most important pieces of legislation this Government has introduced to this House.

As the Prime Minister stated in the House last October 24, Canada has four primary interests in the Arctic: the security of Canada, the economic development of the North, the preservation of the ecological balance, and the continued high stature of Canada in the international community.

This Bill, together with the Territorial Sea and Fishing Zones Bill, are designed to further these interests for Canada. As such, it is a continuation of past policies of successive Canadian governments to assert Canadian interests north of 60° - for the native people who live there, for the untapped wealth we seek to discover for the benefit of all Canadians, for the natural quality of the land and water which covers over 40% of the territory of our country.

Mr. Speaker, Canadians have reason to be proud of their North. I think it fair to say that for too long we neglected our North. To-day we pay the price for some of that neglect. But since the 1950's, successive Canadian Governments have accepted their responsibilities, and have developed our interests in Canada's newest and most promising frontier.

While the North is not without its problems, we can be thankful that men of foresight came before us. Let us hope that in twenty years time men will say that we, in this House, at this time, acted with the same spirit of realism and foresight as did those who came before us.

For this is what the Government is trying to do with the Arctic Waters Pollution Act - to act with realism and foresight, to seize upon the opportunities new technology is bringing to the North, and to control the use of this new technology so that it brings benefits, not disaster.

This Government is deeply concerned with the problem of environmental protection. Steps have already been taken to protect water quality through the Canada Waters Act and the Northern Inland Waters Act. In addition to these two bills, other measures are about to be taken or are being planned in such fields as air pollution, fisheries, and offshore shipping south of 60°. I plan soon to recommend to the Government legislation for the control and use of northern lands. I am sure honourable members will appreciate the need, in response to the quickening pulse of northern development, to ensure that this very development does not leave behind it a trail of unsightly scars which may spoil the northern landscape for years to come.

The Arctic Waters Pollution Bill is a further important expression of this government's concern for environmental quality in the country in general, and in Northern Canada in particular.

It is further evidence that Canada is prepared to meet its responsibilities in maintaining and developing the Canadian Arctic.

During the past two or three years we have seen throughout the world instances of massive pollution disasters. The Torrey Canyon off the Coast of the United Kingdom; Santa Barbara, California, the tanker Arrow in Chedabucto Bay, have all shown the damage that can be done and have underlined the inadequacies of present law. There is no doubt about the threat. There is no doubt about the damage that can be done. Now, as the economic pressure of resource development in the North increases in speed and scope, the need for environmental protective measures takes on a new sense of urgency.

Northern Canada is on the brink of significant developments in the fields of mining and oil and in the transportation of these resources to markets. The Government is participating in and encouraging these developments. Over the past year, Canadians have been excited by the breakthrough in transportation made by the S. S. Manhattan and Sir John A. Macdonald in opening up the Northwest Passage. This new technology of Arctic shipping will provide Canada and other nations with great opportunities. The Government welcomes these developments. The Government wants Canadian Arctic waters to be opened up to commercial shipping.

The effect of this new legislation would be to make clear that the Northwest Passage is to be opened for the passage of shipping of all nations subject to

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the necessary conditions required to protect the delicate ecological balance of the Canadian Arctic.

This bill clearly demonstrates to the international community the basis on which Canada, as a coastal state, with its unique responsibilities for protecting the northern environment, will welcome international use of its waters. Investors in Canada's North will now know the rules of the game regarding sea transportation, and I am confident that this bill will encourage commercial shipping in the North.

We are moving to prevent pollution of Canada's Northern coast, with this bill and the government will be dealing with pollution legislation applying to the East and West coasts at an early date.

There are two reasons for separate pieces of legislation:

First, the true Arctic is unique. It has a fragile ecology, meaning that the environment can easily be spoiled or desecrated and that it may never fully recover from any severe violation of nature. Many Eskimo people in the region still are wholly or partially dependent on wildlife on the land and fish of the sea for their existence.

The second reason relates to the fact that measures required to control pollution offshore from the East and West coasts in some respects must be far more complicated, since shipping routes, regulations and patterns have developed and land use and habitation has become established. It is the intent of my colleague, the Minister of Transport, to develop appropriate

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measures as fast as possible to deal with this situation off the east and west coasts of Canada.

Maritime Law is evolving but more slowly than we would wish in Canada. For centuries, emphasis has been placed on right of shipping to the use of world's sea lanes without regard to the effect this might have on adjacent coastal states. While this may have been practical before, to-day, when millions of barrels of oil are afloat in tankers on the high seas in any given day, the threat of pollution is real and the interest of coastal states as opposed to nations who have large commercial fleets must be recognized. A state and particularly those offering flags of convenience cannot expect, in the world community, to continue these activities without regard to the interest of other nations.

At the World Shipping Conference in Brussels last year, it was obvious that these states continued to expect to have absolute priorities for their particular requirements. It became clear to the Government of Canada that unilateral action would have to be taken at this time if Canada was to protect its own urgent interest.

That is why Canada is extending its jurisdiction for pollution control purposes 100 miles from its coastline in the case of commercial shipping and more than that in the case of commercial exploitation of the Continental Shelf, where our environment may be threatened. It is doing this on the basis of its right

and responsibility to protect the Canadian environment, both in its seas and on its shores, from real threats of pollution.

But let it be clear that we stand ready at any time to co-operate with the world community in the development of a régime for the prevention of pollution and the protection of the environment, particularly along the coast lines of the world.

Canada, therefore, has decided to lead the way and to show by example what can and should be done. We will, however, continue to participate in all efforts to bring about effective pollution control régimes acceptable to all nations.

I believe that both at home and abroad this Bill will be viewed in its proper light as a legitimate and necessary extension of Canada's jurisdiction offshore in an area which is of direct and unique concern to Canada alone.

I should now like to turn to some of the main aspects of the Bill itself.

The thrust of the Bill is directed towards the prevention of pollution of Canadian Arctic Waters. It deals with pollution arising from shipping, from land-based installations, and from commercial activities, such as oil drilling, carried out on the continental shelf.

The bill prohibits, under prescribed penalties, the deposit of waste in Arctic Waters or on the islands or mainland under conditions where it may enter these waters. The definition of waste is comprehensive and covers any substances which would degrade or alter the Arctic Waters to an extent detrimental to their use by man or by any animals, fish or plant that is useful to man. This definition and the provision in the Bill for regulations to prescribe the type and quantity of waste that may be deposited are similar to those provided for in the Canada Water Bill and the Northern Inland Waters Bill.

The legislation regarding shipping will effectively be brought into force by the prescription of safety control zones by regulation of the Governor in Council. Within a shipping safety control zone, ships will be required to comply with technical requirements relating to hull structure, navigational aids, qualifications of personnel and time and route of passage. Ships not meeting these requirements will not be permitted to enter the safety control zones. At certain times of the year or when certain ice conditions prevail ships may be barred from entering the zone.

Some ships may already meet most of the required standards. The bill provides that where such a ship wishes to enter the safety control zone, a certificate may be issued in advance evidencing compliance with the standards prescribed. Ships owned or operated by a sovereign power other than Canada

may be exempted from application of the regulations provided the Governor in Council is satisfied that these ships comply with standards substantially equivalent to those prescribed by Canadian regulations and that all reasonable precautions will be taken to reduce the deposit of waste.

Emphasizing again the preventive aspects of this legislation, the bill provides for Pollution Prevention Officers who will be given power to enter any land-based operation undergoing construction, alteration or extension that may result in the deposit of waste in the Arctic Waters to determine whether adequate standards are being complied with. The Governor in Council may issue instructions requiring any necessary modifications to the work or may prohibit the work entirely.

The Pollution Prevention Officer will perform similar functions with respect to commercial operations carried out on the continental shelf and will also have the authority both to board a ship within a safety control zone for inspection purposes or to order a ship in or near the safety control zone to remain outside it if he suspects the ship does not comply with the standards applicable within the zone.

All of these provisions are designed to prevent the possibility of pollution occurring.

We recognize, however, that in spite of all the careful preventive measures that may and will be taken under this legislation, there still remains the

danger of serious pollution resulting from accident or other unforeseen cause. The bill therefore provides for civil liability resulting from the deposit of waste by persons engaged in exploring, developing or exploiting the natural resources on the land adjacent to the Arctic waters or on the continental shelf or by persons carrying on any undertaking on the mainland or islands of the Canadian Arctic or on Arctic waters or by owners of ships navigating in Arctic waters or owners of cargo on any such ship. This liability is absolute and does not depend on proof of fault or negligence. The Bill also sets out procedures for recovering in Canadian courts.

The bill provides that the Governor in Council may required evidence of financial responsibility to be provided by these persons and it is intended that this evidence should be adequate to cover the costs of clean-up and damage resulting from any pollution. Recognizing however that we are as yet not able to ascertain the full extent of possible damage, the bill makes provision for regulations providing for the limitation of liability of these persons so that commercial activity shall not be unduly inhibited by unrealistic forecasts of possible damage.

In closing, I should like to pay tribute to the members of the Standing Committee on Indian Affairs and Northern Development whose report to the House on December 16 last year underlined the importance of this legislation.

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Mr. Speaker, with this legislation we are pioneers on the frontier of international law. This legislation goes beyond any previous action by the Canadian Government for the control of pollution and is in advance of any action by the international community. Although we have taken this action unilaterally we stand ready at all times to enter into international agreement which will provide for control over the dangers of pollution. Until this occurs, however, we must and will act now to protect the ecology of the north. This bill is evidence of our determination in this regard. I would ask that all members of the House give the Arctic Waters Pollution Prevention Bill full and firm support.

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APPENDIX 1
To
DOCUMENT ND-484

AIDE - MEMOIRE

The United States Government believes it appropriate to move ahead promptly toward the convening of a multilateral conference designed to establish an international regime for Arctic areas beyond national jurisdiction. The preliminary preference of the United States Government is for an early conference, perhaps to be held during the fourth week of June in Washington.

It might be advisable to divide the proposed conference into two sessions, the first dealing essentially with agreed anti-pollution regulations on an urgent basis, with some general consideration given to other aspects of the regime. It is the thought of the United States Government that before adjournment of the first session, the conference would appoint working groups to study possible approaches to other elements of the Arctic regime, to be considered in detail by the second session. As concerns participation, it might be on the basis either of territorial presence or potential use of Arctic waters.

The United States Government would be most pleased if the Government of Canada, together with other Governments, would wish to join in the call for the conference. The United States Government would also welcome the views of the Canadian Government, at its early convenience, regarding the auspices, agenda, timing, and participation of the proposed conference.

Embassy of the United States of America,

Ottawa, April 15, 1970

APPENDIX 2
To
DOCUMENT ND-484

AIDE - MEMOIRE

The Canadian Government has considered the proposal of the United States Government with respect to the convening of "a multilateral conference designed to establish an international regime for Arctic areas beyond national jurisdiction", as explained in an Aide-Memoire handed to the Under-Secretary of State for External Affairs on April 15, 1970 and in a Note of April 14, 1970 from the Secretary of State of the United States to the Canadian Ambassador in Washington. The preliminary views of the Canadian Government on the proposed conference were made known to the United States Government in a Note of April 16, 1970 from the Canadian Ambassador in Washington to the Secretary of State of the United States, replying to the United States' Note of April 14, 1970 on the subject of the Arctic pollution, Territorial sea and fishing zones legislation recently introduced in the Canadian House of Commons.

The Canadian Note under reference made clear that before the Canadian Government could express a definitive view on the proposed conference, further information would be required as to the scope, nature and territorial limits of the international regime envisaged by the United States of America. The Canadian Government requests, in particular, clarification on the following points raised by the United States proposal:

- (a) The phrase "the Arctic should be subject to an international regime", as used in the United States' Note of April 14, does not make clear the environment or environments which are to be discussed.

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This phrase might be interpreted as including land areas and the continental shelf, in spite of references to the "Arctic beyond national jurisdiction" and "Arctic areas beyond national jurisdiction" in the United States public statement and Aide-Memoire of April 15. As was pointed out in the Canadian Note of April 16, Canada's sovereignty over the islands of the Arctic archipelago and Canada's sovereign rights over its northern continental shelf are not, of course, in issue, and the Canadian Government assumes that the Government of the United States is not suggesting an international regime to cover these environments (nor the land mass and adjacent submarine resources of Alaska). Since such questions fall wholly within the domestic jurisdiction of states, the Canadian Government assumes that there is no intention of discussing them but would like confirmation of its understanding on this point.

- (b) The qualification "beyond national jurisdiction" does not bring greater clarity to the question whether it is only Arctic waters which are to be discussed or whether it is intended that other environments such as the seabed should be part of the subject matter of the conference. If it is intended to discuss at the conference a regime for the arctic seabed beyond national jurisdiction, the Canadian Government considers that this intention should be stated and some explanation given for raising it. In particular, comments would be welcomed concerning the relationship between such discussions and the study of this subject in the Seabed Committee of the United Nations.

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- (c) The phrase "beyond national jurisdiction" could also have the effect of raising for consideration the question of territorial limits and national jurisdiction of circumpolar states. It is doubtful that other circumpolar states would wish to submit such issues to an international conference, and Canada has no intention of doing so.
- (d) The references to "assets both living and non-living", in the United States' Note of April 14 and in the public statement of April 15, can be interpreted as suggesting a resources conference. Such a possibility has not been raised with the Government of Canada by the Government of the United States, and the Government of Canada would wish to know why such a conference is required, if that is what is suggested, and specifically what "assets", either within or "beyond national jurisdiction" would be proposed for discussion.

The Canadian Government remains ready and willing to participate in multilateral discussions directed toward working out agreed standards of pollution control safety of navigation in Arctic waters. The Canadian Government considers that the question of environmental preservation and the related question of safety of navigation transcend traditional concepts of sovereignty and national jurisdiction. In the view of the Canadian Government internationally agreed rules of environmental preservation and safety of navigation could, by agreement, be made applicable to Arctic waters both within and beyond the limits of marine jurisdiction of coastal states, and the Canadian Government would be prepared to participate actively in an international conference aimed at producing such agreed rules if the Government of the United States were to provide satisfactory clarification and assurance on the

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questions raised above.

The Canadian Government also considers that an international Arctic conference dealing with questions of a properly international character, such as international standards of navigation safety and environmental protection to be applicable to Arctic waters, should be convened on the broadest possible basis of participation to include other countries of the western hemisphere which might be affected by environmental changes resulting from damage to the ecological balance of the Arctic. In particular, the Canadian Government considers that the proposed conference should include representation from the Governments of the coastal states of Central and South America, some of which might have valuable contributions to make arising out of their Antarctic experience. The inclusion of these states would be especially appropriate since a number of them have expressed interest in this matter and since it is understood that the United States Government has already approached the Government of Panama with respect to the proposed conference.

In view of the steps already taken by the United States Government, and the need for immediate action because of the very early date suggested for the conference, the Canadian Government proposes to raise with a number of Latin American states the question of their possible participation.

Ottawa, April 28, 1970

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Report by the Chairman, Co-ordinating Committee

Since the establishment of the Co-ordinating Committee, three meetings have been held, the last on April 9, 1970. The main points considered at these meetings and the recommendations arising from them were as follows:

Terms of Reference

The first meeting concerned itself with appropriate terms of reference and the fact that while over the years, the Advisory Committee on Northern Development had continuously advised the Government of Canada on matters of policy, it had not properly fulfilled its co-ordinating role. It was pointed out that the terms of reference of the A.C.N.D. required the Committee to "provide for the effective co-ordination in all government activities in that area". Furthermore the "co-ordination of the activities of the several departments and agencies of the Government of Canada" is part of the mandate of the Minister of Indian Affairs and Northern Development. Thus a committee composed of representatives of departments and agencies with northern operations provides a useful instrument to ensure a common approach to the national objectives, and ensures that funds provided for northern programs will be spent in an optimum manner in order to advance the economic social and political development of the territories.

The Co-ordinating Committee therefore considered its role and recommended the following interim terms of reference for adoption subject to later review after experience is gained;

- to the A.C.N.D.*
- a. Propose specific programs for the development of the northern territories in order to co-ordinate these programs into a general plan;
 - the A.C.N.D.*
b. To consider and advise on all proposed programs and studies which may have a major bearing on the development of the northern territories;
 - c. Where required to establish "ad hoc" working groups to consider particular aspects of northern development; and
 - d. To circulate relevant information and to advise the senior officers of those departments and agencies with northern interests those aspects of northern development discussed in committee.

I recommend that the A.C.N.D. confirm these terms of reference for its Co-ordinating Committee.

Strategy for Northern Development

The A.C.N.D. at its 75th meeting briefly discussed Document ND-481 "Strategy for Northern Development". The Co-ordinating Committee has been coming to grips with this important document as we believe it forms the basis for orderly development and will enable each member of the Co-ordinating Committee to play a part in the co-ordinating procedure.

A smaller "ad hoc" committee, consisting of senior officials of the most interested departments, has also discussed this document in somewhat greater depth. The basic theme of the document with some minor changes has been accepted with the reservation that its objectives which are those of the Department of Indian Affairs and Northern Development may not be the same as the national objectives for the north. A small sub-committee has been formed to explore the possibilities of defining national objectives.

The Co-ordinating Committee recommends therefore;

- a. that the "Strategy for Northern Development" retitled "Strategy for Northern Economic Development" be referred to the Cabinet for approval in principle.
 - b. that a sub-committee of the Co-ordinating Committee be charged with the development of national objectives for the northern Territories.
- in revised form*

Representation of the Territorial Governments on the A.C.N.D.

Another development concerns the recommendation to have the Commissioners included as members of the Policy Committee, and representatives from the Territorial Administrations on the Co-ordinating Committee. Several papers on the constitutional developments and reasons for territorial representation were advanced.

The Committee concluded that Territorial representation on the A.C.N.D. would be desirable and recommends:

- a. that the Commissioners of the Yukon and Northwest Territories be appointed as members of the main or policy committee of the Advisory Committee on Northern Development;
- b. that the two Commissioners appoint senior officials of the rank of Director or above of the respective territorial administrations to become members of the Co-ordinating Committee of A.C.N.D. and to participate fully in their deliberations.

Transportation Committee

The Co-ordinating Committee also considered a recommendation to re-establish the sub-committee on transportation. The terms of reference suggested were as follows:-

- a. To review, examine and report on the transportation requirements in all its forms for the northern territories, and
- b. To submit both short and long term plans for transportation in the north, including recommendations in which these shall be met.

I recommend that the A.C.N.D. confirm these terms of reference for the sub-committee on transportation, and its Chairman to report directly to the A.C.N.D.

I further recommend that when the Arctic Transportation Administration of the Department of Transport is established, a further re-examination of these terms of reference be undertaken.

Employment of Northern Residents

The Co-ordinating Committee has been examining the implications of the decision made at the 68th meeting of A.C.N.D., and to seek methods of implementation. This decision set a target of 75% of all northern federal positions to be filled by northern residents by 1977. The Co-ordinating Committee has agreed to adopt a new method of reporting progress and to seek assistance where required for vocational, on-the-job and other training schemes now available.

Lastly - I would like to pay tribute to the members of the Co-ordinating Committee for the progress made to date. Once the "Strategy for Northern Economic Development" is fully operational I am confident that the economic and social development of the northern territories will accelerate.

A. D. Hunt,
Chairman,
Co-ordinating Committee.

Department of Indian Affairs
and Northern Development
May 6, 1970.

CONFIDENTIAL

DOCUMENT ND-486

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Report by the Chairman, Scientific Research Sub-Committee

The sub-committee has been reconstituted under the Chairmanship of Dr. J.M. Harrison, Assistant Deputy Minister, Department of Energy, Mines and Resources. Meetings were chaired by Dr. Harrison February 5, 1970, February 27, 1970 and April 14, 1970. Several subjects are under review by the Sub-committee.

One urgent task assigned to the Sub-committee has been the planning and conduct of a meeting of United States-Canadian Scientists to consider Arctic Research Needs and in particular ways in which the United States and Canada might co-operate to mutual advantage, in Arctic research. In this connection a number of special planning meetings have taken place. During the period April 26 - April 29, 56 scientists, from the United States and Canada in approximately equal numbers, met at the Seigniory Club, Montebello, Quebec, to discuss these matters.

Attached are papers reporting on the results of the meeting and recommendations arising from it.

I recommend that the Advisory Committee on Northern Development confirm the proposal that bilateral talks between the United States and Canada be continued in order to seek satisfactory solutions to mutual problems on Arctic research.

NOTE:

THESE PAPERS ARE DRAFTS ONLY.

THUS THEY ARE SUBJECT TO REVISION AND TO APPROVAL BY THE SENIOR CONFEREES.

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Joint Seminar on Arctic Research Needs

Summary and Recommendations

The judicious management of resources requires basic knowledge on which to make political, administrative, and economic decisions. The Arctic ecosystem is in delicate balance and it is therefore necessary to develop realistic regulations that will keep changes of the environment within tolerable limits. Because the need for appropriate information is common to the whole of the North American Arctic, some fifty senior United States and Canadian government scientists participated in a seminar April 27-28, 1970, to identify research required to provide their respective governments with the information on which to base enlightened decisions. Major development of Arctic mineral resources is now imminent and directions of research are proposed with this fact in mind. Much research is already underway, but because of the geographic distribution and complexity of the problems, much more needs to be done, both by cooperative and complementary studies in Canada and United States, and indeed in all circum-Arctic countries.

The more urgent research needed to understand the Arctic environment and the man-made changes in it are:

A: Base-line Studies

1. Dynamics of sea ice.
2. Distribution and ice content of permafrost, and its changes with time.
3. Behaviour of cold-dominated ecosystems.
4. Heat balance in Arctic marine and terrestrial regions.

B: Studies Related to Resource Development

1. Geological analyses of sedimentary basins.
2. Changes in terrain caused by resource development activities.
3. Air-sea-ice interactions and Arctic oceanic circulation.

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do*

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4. Prevention and clean-up of air, soil and water pollution.

C: Studies Related to Evaluation of Effects of Arctic Development

1. Evaluation of long-term net benefit of development of the Arctic.
2. Determination of the optimum sustained biological activity in the Arctic.
3. Maintenance of a satisfactory environment for man.

Examples of cooperative and collaborative projects include studies for earth orbiting satellites, coastal currents in Beaufort sea area, North Water project in upper Baffin Bay, studies on ice structure area deformation, dispersal of oil in Arctic waters, etc.

The impact of exploration, development, and economic activity in the Arctic causes rapid changes, both for the resident population and for new communities. It is immediately apparent from any survey of social and community conditions that there is a great dearth of knowledge that can only be corrected by concentrated research in the social fields. To this end, efforts should be directed to encouraging the development of social scientists prepared to work in Arctic regions. The more urgent problems of social research include:-

1. Studies on the needs and aspirations of Arctic populations as they now exist, and as they might be in the year 2000.
2. Increased resources should be directed to research in Arctic social conditions in two areas in particular:-
 - (a) long-range demographic studies related to projected economic activity
 - (b) studies on how to deal with immediate and short run problems in the development of Arctic communities
3. Collaborative or parallel studies on a bilateral or multinational basis to ensure continuing exchange of administrative, as well as scientific, information on experience in areas where similar social and community problems exist.

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The development of the conference, and its aims and objects follow in Appendix A.

Detailed presentations of the reasons for all these recommendations and their urgency are given in the Working Group Reports, Annexes B1, B2, B3, along with suggestions for specific research projects intended to achieve the desired ends.

It is further recommended that continued formal discussions be held between senior officials of the United States and Canada so that solution of mutual problems may be effectively tackled.

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Appendix A

Conference Genesis and Format

The need for an Arctic Research meeting was discussed by Drs. Uffen and DuBridge at their December 1969 meeting in Ottawa. To carry out their wishes, each side appointed an organizing committee to define the parameters and develop the procedural and housekeeping details. The following method of operation was prepared.

Approximately 25 scientists from each side would attend. They would be divided into three panels covering the following subjects:-

Working Group I: Characteristics of the Natural Arctic Environment

This group is to consider the Arctic as it was, or is, prior to recent technological activities, or in areas where these activities have not yet reached. The objective is to develop the background or baseline knowledge against which changes due to modern human activities can be assessed.

Working Group II: Physical and Biological Consequences of Resource Development in the Arctic

This group is to consider the effects, on the natural environment, of the activities connected with exploration, extraction, transportation and utilization of the natural resources of the Arctic.

Working Group III: Social and Community Problems in the Arctic, Today and in the Future

This group is to consider the effect on people, both resident, and immigrant, and transient, of current and future activities in the Arctic, and the effect on Arctic people of developments and policies outside the Arctic. Consideration should be given not only to the effects of resource development and of investment and changing

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technology, but also of world wide or country wide changes in attitude, expectation, and national responsibility. For the purposes of these discussions social problems include medical, educational and recreational matters, and community problems include, in addition to the problems of Arctic communities as such, matters relating to communication, transport, power supply and financing.

Each panel was co-chaired by a U.S. and Canadian scientist. For the guidance of the panels the theme of the meeting was described as follows:-

- identification and rating of areas of mutual research needs in the Arctic.
- strong emphasis on the Arctic environment and the effects of development activities.
- emphasis to be on research and information, not on policy, management, or organization.
- attempt to keep long-term viewpoint as well as deal with current problems and anticipate immediate problems.
- meeting should discuss what is known, what is needed to be known, where and how our two governments should be placing their research emphasis: this will set the stage for discussions of practical co-operative actions.

To assist each panel in outlining its deliberations, the following terms of reference were proposed:-

Each Working Group is to endeavour to identify, for its respective subject area:

- 1) The current state of knowledge;
- 2) Problem areas, with some regard to relative priorities of importance and urgency, and with an appraisal of the magnitude of the research activity required and its timing;

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- 3) Practical avenues of U.S.-Canada co-operation,
considering: - various forms of co-operative action;
- participation of non-government agencies
(i.e.) institutes, universities, industry.

Specific research projects may be discussed.

- 4) Areas of multilateral or international action.

These may be noted, but should not be considered
at length. This approach may be pursued at future
meetings.

The objective of these plans was to have the conference
produce a report setting forth priorities for Arctic research,
areas of mutual interest and recommendations for cooperative
action.

Appendix B1

We have addressed ourselves to the problems of baseline research as we were requested and have tried to do this in terms of what we know. Essentially, in all cases we found that what we know is inadequate. Hence, we are dealing largely with programs for the future which we hope will fit nicely into a pattern of US and Canadian cooperation as well as participation on an international scale. In our opening session, Dr. Harrison said that we should stress what we know, what we do not know and what we need to know, and not engage in policy decisions or recommendations. Generally, we were able to stay away from policy, but I must admit that it reared its ugly head now and again.

We have tried to discuss atmosphere, ^{and} ocean, ^{and} land in terms of what the biologist would call an ecosystems sense. This leads to many complexities, but to those of us who deal with that sort of thing, the ecosystem concept is a rewarding way to keep oriented. In looking into the complexities of things, one realizes how little is known, and to understand the consequences of a disturbance to the total system, a great deal of research must be done. However, the Arctic is an area frequently described as a relatively simple environmental system. Although it is complex enough for me in any event, perhaps, in a relative sense-at least on land-it is comparatively simple, if for no other reason than there are less ^{biological} components ~~parts-in-a-biological-sense~~.

Our evaluation of the status of knowledge led us to believe there is little need to encourage research in the ionosphere except perhaps for the matter of determining, and predicting optimum radio frequencies for communication.

Having started at the top I will continue in a direction towards the earth, and consider next the upper atmosphere. Because of the efforts of the World Meteorological Organization and the program known as GARP, there is very little need of additional programs in the Arctic. There is a need, however, for increased emphasis on the existing activities. In the lower layers of the atmosphere, the energy exchange with either ice, water or sand surfaces, requires a great deal more attention, and some priorities in these matters will be set. While Arctic climatology in general has a low priority,

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we recognize that it is important and that research on it should be continued on an international scale. The highest priority is reserved for studies on energy fluxes. Here, we feel that there should be an immediate step up in activities followed by a continuing intensive program of research on the energy budget in the Arctic as a whole, including the radiation or energy budgets for sea ice, water, and all terrestrial surfaces. These studies bear an important relation to biological problems in the ocean and on the land, and are very critical to permafrost problems, and permafrost degradation. This is an area of fundamental importance which is relevant to a number of Arctic problems.

Two other high priority items include mezzoclimatic and micro-climatic studies; activities which are particularly critical on land. These are recommended for immediate attention all across the Arctic-Canada, the United States and wherever else we can engage the interest of other countries. High priority has also been accorded in the matter of atmospheric chemistry, i.e. chemical components in the atmosphere and precipitation. This can become very critical when pollution increases in the Arctic and we must have base lines for the chemicals, of whatever type which exist now in the atmosphere.

Turning now to the ocean. The highest priority is given to just about everything concerned with sea-ice, including the distribution, classification, and the changes with times. Such studies are important in areas of open water, and are even more so in restricted passages between, for example, the islands of Arctic Canada. A related, but separate ice problem, also of high priority, is the examination of the causes and the nature of the pressure exerted by ice on coast lines and all in-shore waters. Ice also exerts tremendous pressure on ships, engineering structures generally, and on natural land features as well.

Ice dynamics is a field about which very little is known. Therefore, we highly recommend intensive studies of the total behaviour of ice under stress. The project, called AIDJEX, of which many of you will have heard, is an experiment in ice dynamics and is one avenue by which studies of ice dynamics could be expanded.

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Studies of ice behaviour will include surveillance of ice movements as well as research in ice dynamics per se, and will be directed towards answering such questions as how does ice drift, buckle, bend, break, etc. under stress and by what processes. Any such synoptic study would consider all properties of ice, including roughness, pressure ridges and the like.

Another program which includes ice studies, and that already involves US-Canadian participation, is the North-Water project. Scientific baseline parameters are needed in off-shore and coastal water areas. Thus, we recommend thorough going and continuing programs in both physical and biological oceanography in these regions, including physical studies of ice, water, bottom sediments, geophysics and geology.

Biologically it is important to study environmental changes under stresses applied by man. This would include studies of productivity to determine energy transfers from the physical environment to various organisms via the food chain and biological system as a whole.

Monitoring water flow from the river systems into the ocean is important because of sediment, and mineral transportation and because of erosion and water supply considerations. Indeed, the hydrology of the whole Arctic should enjoy high priority. The potability and preservation of water supplies are critical. Hence, recommendations made for research in the oceans apply equally well to fresh waters as well. Sedimentation studies in the in-shore areas as well as in the oceans should enjoy a high priority.

General geology - bedrock geology, either of the ocean, coastal zones, or the land, although it has a bearing on just about everything that happens in the Arctic we consider is of a lower priority.

Coming now to the land, we recognize it is possible to damage in five minutes natural features that took hundreds of years to grow or build in the first place, whether we are thinking of vegetation, soil, the development of a drainage system, or whatnot. These are extremely sensitive to potential disturbance. In self protection we must establish baselines, not just for purposes of examining a disturbance but hopefully, so that we can manage the natural resources in such a way that the destruction will never happen.

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We recommend, with highest priority, the study of the total terrestrial ecosystem. Such things as the organisms, micrometeorology, the soil materials, etc. etc. must be studied in detail in places at least with the hope that this will lead to an understanding of the whole system across the continent. This work should also include studies of productivity, the carrying capacity of tundra, for example, for caribou herds; quantitative studies of all populations of plants and animals, etc. by whatever techniques are appropriate.

Studies of this kind, including both the vegetation, the animal populations, the geomorphology of appropriate areas, and all natural processes would provide a basis for land form and other related resource maps. We need the basic mapping for our understanding of the natural landscape.

Another item of highest priority, which requires intense study can be discussed under a general heading of "Permafrost". This covers a wide variety of things. We need to know its distribution, its thickness, its component parts, whether it is growing or wasting, i.e. the dynamics of permafrost, but above all, we need to know its ice content. This is of overwhelming importance, especially for engineering and other activities in the Arctic. It is worth noting that it is the biological component of the landscape which does the most to protect permafrost. One of the biggest problems in the Arctic, which exemplifies the fragility of Arctic communities of organisms, occurs when the biological surface is destroyed - the permafrost becomes destroyed too.

These matters will receive some attention in the International Biological Program which includes studies in a number of places, both in Alaska and Canada, and elsewhere in the world for that matter, and already involves US-Canadian cooperation, and to some extent, international cooperation. Thus, thermal erosion in permafrost, the development of the thermokarst topography, particularly along the shoreline is of high priority. We have reason to believe that these features change rapidly, they are important to engineering applications, in any event on the coast, and should be pursued.

..... /5

- 5 -

All geomorphic problems need attention - the mapping of geomorphic structures of various kinds and the determination of the rates of change of geomorphic features.

We consider it of importance, although perhaps of slightly lower priority, to develop earthquake probability maps, with the purpose of establishing baselines for disturbed, versus undisturbed areas.

Finally, it is important that both countries undertake to provide for adequate and, where necessary, cooperative supporting services for the various research projects recommended. Other examples of our needs as we see them, are better and original instrumentation, intercomparison of instruments, geodetic control, navigational aids, maps and charts, the monitoring of meteorological disturbances, reliable means of communication and transportation and, wherever possible, the use of remote sensing techniques.

PHYSICAL AND BIOLOGICAL CONSEQUENCES
OF RESOURCE DEVELOPMENT IN THE ARCTIC

Introduction

The Arctic ecosystem is in delicate balance and any development there will produce changes which must be evaluated to determine those which are desired or should be permitted. Much research is already underway, but because of the geographic distribution and interdisciplinary complexities of the problems much more needs be done by both cooperative and complementary studies in Canada and United States, in particular, and by all the circum-arctic countries in general. In our group there was neither time nor expertise to assess completely the current state of knowledge in these fields nor to indicate all research that should be undertaken. We have attempted to outline the main research themes and within each to identify particularly important projects.

A. Forces of Change

1. Resource development. Activities connected with exploration, extraction, transportation and utilization of the natural resources of the Arctic.
2. Man-made disaster. Consequences of accidental destruction of part of the environment as a result of ill-considered development.
3. Settlement development. Effects of new communities requiring food and water supply, waste emplacement, transportation facilities, recreation.

B. Changes

1. Climatic - e.g. air pollution, inversion problems, changes in oceanic circulation.
2. Geomorphic - e.g. surface disruption, erosion, sand and gravel supplies, thermokarst phenomena.

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3. Biotic - e.g. waste emplacement, fish and mammal resources and movement, effects of oil spill and other chemical toxicants.
4. Socio-economic, including aesthetic - e.g. tourism, designation of reserves and wilderness areas.

C. Control of Changes

1. Legislation
2. Regulation
3. Social Pressure
4. New Technology

D. Reasons for Research

1. To provide knowledge on which political, administrative and economic decisions may be based, to permit judicious management of resources.
2. To optimize use of the environment by developing realistic regulatory controls and indicating needs for new technology.

E. Research Themes

Introduction

It is understood that there is a complete spectrum of the degree of cooperation in research activity from truly international integration to parallel but complementary national studies in which exchange of information is essential. There is also a range of effort from those projects that require an immediate large-scale effort over a short term to those requiring an immediate but low level effort extended over a longer period.

I. Circumpolar Biological and Physical Phenomena

Research is needed on physical and biological phenomena which are likely to be significantly altered by the activities of man. These changes may be beneficial or detrimental from a human point of view. Assessment of these changes will depend on better understanding of basic processes in the undisturbed Arctic environment, and should in addition be approached through direct studies of actual or simulated disturbance. Representative studies which would benefit from international cooperation include:

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1. Studies of air-sea-ice interaction and of change in these interactions likely to occur as a result of human activity. These studies, because of their size and complexity, should be based on projects to define more fully the general oceanic circulation in the Arctic basin, and polar atmospheric circulation.
2. Studies of effects of human disturbance on marine mammals: for example,
 - a) Physical and social disturbance due to the presence of man - feeding, breeding, etc.
 - b) Toxic effects of pollution, direct on animals themselves or indirect through their food supply.
3. Studies of terrestrial ecological processes on disturbed and undisturbed sites, based on the model developed through the International Biological Program. The key elements here are use of comparable methods for collecting and recording data on all sites, and the early sharing of data and concepts among investigators and among sites. There may, however, be difference in research emphasis among sites.
4. Laboratory studies in which efficiency of allocation of scientific and monetary resources would be improved by international coordination to avoid duplication.
 - a) Physical chemistry of oil-salt water interactions at low temperature.
 - b) Laboratory study of biological degradation at low temperature.
 - c) Laboratory study of nitrogen fixation and denitrification processes at low temperatures.

II. Arctic Basin Geomorphology, Geology and Hydrology

The Arctic Basin includes both the Arctic Ocean and the adjacent land areas which drain into it. Proposed research projects and efforts are cooperative, complementary, and are considered relevant to short- and long-term resource developments and their consequences.

- a) Sedimentary basin analysis: Study of geological history, structure, facies, biochronology, and evaluation of resource potential of basins in the Arctic and develop common terminology and correlation.

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- b) Regional permafrost investigations: Refine current levels of permafrost mapping to include ground temperature profiles, quantitative surveys of underground ice volume (i.e. IHD), periglacial features, and determination of subsidence due to thawing.
- c) Coastal geomorphology: Investigate and correlate rate of shoreline migration, sea level and tidal fluctuations, isostatic movements, delta modification, archeology of coastal and inland areas, and permafrost boundaries at coastlines.
- d) Circumpolar hydrology: Conduct hydrologic programs on large watersheds which contribute to the water balance of the Arctic Basin.

III. Management of Biotic Resources (includes arboreal and non-arboreal, terrestrial as well as freshwater and marine resources)

The following areas of research are recommended:

- (i) Protection for base-line studies and recreation: The identification and preservation of representative undisturbed biotic fabric (e.g. closed-canopy boreal forest, white spruce parkland, treeless areas including shorelines, meadowland, dry and wet tundra, heathland, rare species and unique areas) to provide base lines for measuring the extent of disturbance.
- (ii) Evaluation of change: Evaluation of geobotanic changes that have occurred because of mechanized man's activities. Specific areas and case histories include Churchill, Point Barrow, Canal Pipeline, and Dew Line.
- (iii) Reclamation: Stability of Arctic biota and their ability to withstand various forms and degrees of human induced changes; succession of natural biota, particularly investigations on the re-establishment of biotic associations in order to devise suitable methods for reclaiming disturbed areas, stabilizing road cuts, and shoulders, temporary campsites, pipelines, vehicular tracks, and drilling locations; explore possibilities of introducing exotic species for reclamation.
- (iv) Inventory Methods: Research in inventory methods for rapid qualitative, quantitative appraisal of resource, e.g. use of multiple-band imagery to evaluate the amount and type of forest land, caribou range, waterfront breeding habitat.

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- (v) Utilization: Judicious utilization of renewable resources based on information from (i)-(iv) above and, for example, including growth rates and regeneration of trees, population dynamics of caribou, polar bear, migratory water fowl, arctic char, ringed seal and walrus.

IV. Environmental Modifications

Included within this theme is research on the entire gamut of effects on the environment of resource development. This subject ranges from desirable to undesirable modifications; from damage to land surface to the prospect of eutrophication resulting from habitation.

Projects in this area are parallel in nature and lend themselves readily to productive information exchanges. The following outline presents some major areas which require priority attention.

1. Surface damage
 - (a) Thermal erosion
 - (b) Thermokarst
 - (c) Changes in stream flow patterns
 - (d) Modification of water quality
2. Development's Impact (Habitation and Industry)
 - (a) need for waste emplacement technology - air, water and solid, both municipal and industrial geared to the specific Arctic problems.
 - (b) effect of human culture - e.g. pesticides, fertilizers, etc. on the environment.
 - (c) effects of the infrastructure required to provide development needs and product distribution.
 - (a) power production - thermal and radioactive pollution
 - (b) transportation - roads, pipelines, oil spills.
3. Examples of causes of environmental modification:
 - (a) geophysical (seismic) exploration
 - (b) mine waste disposal
 - (c) municipal pollution of streams
 - (d) oil spills on land and water
 - (e) construction of rights-of-way, e.g. roads, transmission lines, pipelines, etc.

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4. Current research programs

Limited work requiring expansion is underway in various aspects of this problem, for example

- (a) pilot plant studies in Alaska on cold climate waste treatment
- (b) land-use research program in Canada
- (c) research on cold climate oil spills in both U.S. and Canada.

V. Engineering Feasibility and Technology

Resources development has focused attention on the unique environment of the North. These activities require engineers to design for and construct and operate in conditions for which present technology is inadequate. Most of the problems encountered are due to the effect of temperature on properties of materials, processes, and operations. Past experience has demonstrated the potential deleterious effect of engineering activities on the terrain in the North, and the severe restrictions imposed on these activities by the environment. Knowledge is required to allow development of the North to proceed in an acceptable manner. Much of the information required should be developed on a cooperative basis. The following are some of the areas of need.

1. Design criteria

- (a) Data is necessary for the proper construction and operation of all manner of structures in northern regions.
- (b) Information is required for operational research and feasibility studies in northern areas.

Projects

- (i) Pipeline construction
- (ii) Design and operation of ships and undersea vehicles
- (iii) Shoreline and offshore structures, ice-structure interaction, foundations
- (iv) Planning, construction and maintenance of northern communities
- (v) Major engineering hydrological studies (consequences of dams, diversions, etc.).

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2. Technical information

Projects

- (i) Inventory of materials - gravel deposits, borehole information, ground water
- (ii) Mapping, charting, geodetic links
- (iii) Properties of materials - physical and mechanical properties of construction materials (soils, rock, steel, concrete, etc.) under northern conditions.
- (iv) Underwater technology - drilling, data gathering.
- (v) Case histories
 - monitoring performance of buildings, roads, airstrips, pipelines
 - record of construction and performance of major engineering works - e.g. Dew line structures, Churchill facilities, Inuvik townsite, Churchill railroad.
- (vi) Production of fresh water - e.g. closed cycle systems, stills, nuclear plants, etc.).
- (vii) Information exchange on an international basis
- (viii) Excavation of frozen material
- (ix) Data for economic studies
- (x) Oil spills

3. Stability of permafrost

Projects

- (i) Study of ground thermal regime
- (ii) Factors controlling stability of permafrost, particularly those associated with engineering activities (e.g., roads, airstrips, pipelines).

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4. Transportation and Communications

Projects

- (i) Urgent need for improved navigational systems (e.g. electro-magnetic systems).
- (ii) Intermodal transportation systems.
- (iii) Improved effectiveness of communication systems.
- (iv) Acceptable offroad transportation (e.g. light ground pressure vehicles with adequate drawbar pull).
- (v) Air surveillance - navigation - traffic control - search and rescue.

VI. Human Adaptation and Acculturation

An important area not considered in detail by Group 2, but essential to the study of biological consequences of resource development (Group 3).

VII. Assessment of Mineral Resource Utilization in Relation to Total Environment

All of the above six themes are relevant to this one and are, in fact, necessary to its effectiveness. The requirement is for a total systems analysis of the resource base in an arctic environment - a balancing of the benefit of development of any one resource against the cost in terms of change to the total environment (see B, page 1).

An example of the type of global approach required may be illustrated by considering total petroleum resources in the US-Canadian Arctic. Relatively little research should allow a grossly approximate estimate of total recoverable reserves in the region. Such reserves could be expressed in years in terms of annual world production of petroleum, e.g. total reserves divided by annual world production - extrapolated forward as necessary. The administrators would then be in a position to advise their respective legislators of the real benefit in terms of major modification to the existing arctic environment. Furthermore, a measure of differences in cost might be suggested in terms of rapidity of uncontrolled development as opposed to controlled development based on environmental safety and economic expediency.

Working Group III: Interim Review

1. We are all impressed by the range of scientific ignorance in the research areas of this group (e.g., mental health, community studies, demography, socio-economic and social psychological studies, social organization, culture and personality studies, ethnology generally and man in the ecosystem studies). These research areas have suffered a disparity of funding relative to others and a lack of research funds relative to operational budgets. Its shortage of experienced specialists is reflected, to some extent, by the scientific background of this working group's members, a situation that reduces our collective confidence in some aspects of our commentary.

Correction of this weak research condition will require some redirection of national science policies. Among the pertinent suggestions were:

- (a) A focus on training social scientists for arctic research, with a multi-disciplinary bias in the training.
- (b) Establishment of a clearing house for information. This agency must be, not just a mail box, but a unit able to analyse gaps, provide comparative data and synthesize existing data and interpretation.
- (c) A marked increase in expenditures (i.e., a priority shift) in these subject areas with special concern for projects dealing in the general fields of
 - (i) man in the ecosystem and (ii) research aimed at the current and future human situations.
- (d) It was agreed that more multi-disciplinary research projects are needed and that these must include intensive, long-lasting studies at one locale or on one topic as well as geographically extensive projects. The three-month social scientist, following the annual cycle of geese, is inadequate

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for the needs recognized here.

- (e) Clearly there must be some shift in focus to more applied research in northern social sciences.

These lines, relative to our terms of reference, comprise our reply to the request to identify the current state of knowledge.

2. (a) Long-range forecasting, planning and policy formation are all vital to sensible use of the north. Unfortunately long-range thinking and policy formation are jeopardized by our relative ignorance and poor understanding of man, his communities and cultures in the north.
 - (b) The working group suggests this is a national, not a regional, problem and, second, that research of the lands noted here be made a national goal.
 - (c) We recognize that national goals for the arctic require re-examination, that they influence arctic research goals and could, in turn, be improved by the results of arctic research as noted in 2(a) above and elsewhere in these notes.
3. We agree that the solving of current urgent problems must not threaten the developing of a needed, new, long-range research and planning thrust. Conversely, solving present problems of man in the arctic must be continued on, at minimum, the present scale. The group noted that the actualities of solving these real problems provide a struggle that will improve long-range research and planning.
4. The group vigorously support the needs to determine where we are now in the arctic and where we wish to be at 2000 A.D. - models, anti-models and goals. Many factors, indeed, are involved - yet such models are necessary to the formulation of general national goals and specific research goals in this intricate, functioning system.
 - (a) Regarding the "now", we need a comprehensive, analytical model to chart categories of phenomena, their relationships and the gaps. Such should provide a data base and a framework for future research and more informed policy development.

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This base line picture must include, in the widest sense,

- (i) human resources,
- (ii) mineral resources,
- (iii) renewable natural resources (notably total land use),
- (iv) rates of change and,
- (v) the inter-relationships in, and between, these three categories.

(b) Regarding the then, of 2000 A.D., we note the need of a model, or models, as a statement of ideal goals. This implies the presentation of anti-models illustrating possible, but lamentable, alternatives. Two particularly pertinent observations in this context follow:

(i) such a model must be constantly evolving for present data and understanding make it impressionistic, a polite word sheltering ignorance and it's bastard child, undue subjectivity.

(ii) As events unfold, even with current levels of guidance, some possible options cease to exist and others may die unrecognized.

(c) The development of these "now" and "than" models are a first priority of problem areas in arctic research. More precise research designs for their achievement exceed our time here, and perhaps our talents as a working group. The production of either of these two kinds of models would be a very large task for the social and other sciences involved. Some of the kinds of social sciences research required here were noted in the first sentence of these pages.

This group did not feel capable of assigning firm priorities to specific research projects that should be undertaken on the human concerns and values that are so greatly influenced by man's relationship with the Arctic environment. Two general areas of bi-lateral research concentration were identified that should be emphasized as quickly as possible.

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1. The first priority should be given to answering the questions of (a) what kind of a population will we be dealing with in the Arctic by the year 2000 and (b) how their needs and aspirations be fulfilled?

2. Equally important are the shorter range even immediate consideration of how we can improve the quality of life and achieve meaningful, fulfilling community involvement by the present Arctic population.

There is no question that the U.S.-Canada are dealing with one human ecosystem in the Arctic and any effort to plan for the future of this area are going to fail unless the Arctic human research and assistance programs of the two countries are more closely linked. We have concluded that cooperation between scientists is generally good but there are (1) critical gaps in communication between the administrators of Arctic programs in Federal agencies, (2) little research is being done to evaluate the real effectiveness of operating programs and (3) no effective mechanism for research findings to be reflected in program administration.

We strongly recommend the creation of a small, working party including non-government scientists working with Arctic native people that can critically analyse the present capabilities of the Federal agencies for Arctic ecological, economic and human research and make recommendations for ways of strengthening bilateral research and program coordination and filling gaps we have identified. As this Canadian-U.S. mechanism is being developed, further study of the feasibility and replicability of an appropriate framework for international cooperation should be undertaken.

Department of
Indian Affairs and
Northern Development



Ministère des
Affaires indiennes et
du Nord canadien

A.C.N.D.
CENTRAL SERVICES REGISTRY

APR 27 1970
FILE No. 887-3-1A
CORR. No.
REF. TO

NOTED BY
A.B. YATES
Date: APR 27 1970

Acting Director,
Northern Economic
Development Branch.

Ottawa 4, April 23, 1970.

our file, notre dossier
your file, votre dossier

Mr LACO

Minutes - Third Meeting of
the Coordinating Committee

Pl note minor changes
AM

- Attached is a copy of the minutes of the Third meeting of the Co-ordinating Committee of the A.C.N.D.

I would appreciate receiving any comments or recommendations you may wish to make regarding these minutes before they are printed and sent to members of the Committee.

Attach.
C.Hitsman/mpr

[Signature]
L.A.C.O. Hunt,
Secretary,
Advisory Committee on
Northern Development.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The third meeting of the Co-ordinating Committee of the Advisory Committee on Northern Development was held on Thursday, April 9, 1970, at 2:15 p.m. in the 14th floor conference room, Centennial Tower, 400 Laurier Avenue West, Ottawa 4, Ontario.

PRESENT

Mr. A.D. Hunt, Assistant Deputy Minister, Department of Indian Affairs and Northern Development (Chairman)

Mr. J.W. Bailey, Department of Public Works
M. J. Côté, Department of Transport
Mr. D.A. Davidson, Department of Indian Affairs and Northern Development
Mr. J.H. Fox, Treasury Board
Mr. R.S. Filion, Department of Finance
Dr. W.H. Frost, Department of National Health and Welfare
Dr. N.B. Hutcheon, National Research Council
Mr. E.M. Hutchinson, Department of Manpower and Immigration
C/Supt A. Huget, Royal Canadian Mounted Police
Mr. C.C. Hitsman, Department of Indian Affairs and Northern Development
Mr. P.L. Griffiths, Department of Supply and Services
Mr. D.S. Loftus, Department of Communications
Mr. A. Laframboise, Department of Transport
Col K.M. Macdonald, Department of National Defence
Mr. G. Martin, Department of Regional Economic Development
Mr. A.M. Pennie, Defence Research Board
Mr. H.D. Peel, Department of External Affairs
Mr. J.B.S. Rose, Department of Manpower and Immigration
Dr. E.F. Roots, Department of Energy, Mines and Resources
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Mr. D.R. Stephens, Privy Council Office
Mr. V.V. Spence, Department of National Defence
Mr. W. Slipchenko, Department of Indian Affairs and Northern Development
Mr. G. Taylor, Department of Finance
Mr. E.B. Wang, Department of External Affairs
Mr. E.R. Weick, Department of Indian Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern Development

Mr. L.A.C.O. Hunt, Advisory Committee on Northern Development (Secretary)

Matters arising from previous minutes

The Secretary announced two minor amendments suggested by the Treasury Board representative.

Page 4 (second paragraph), last sentence should now read:

"He asked by what means the Co-ordinating Committee would advise senior officers of departments on northern problems, as suggested in the draft terms of reference".

Page 9 (fourth paragraph) should read:

"Perhaps they could be invited on an "ad hoc" basis at the first opportunity which presented itself, and the Committee would decide on membership after assessing the value of their contribution to its work".

The Secretary as instructed forwarded to the Department of Regional Economic Development an invitation to accept membership in this committee. It was accepted and M. Gilles Martin was representing that Department today.

The minutes as amended were approved.

II. Employment of Northern Residents - Document XND-7
deferred from previous meeting

There was some discussion as to how best to implement the target approved at a previous A.C.N.D. meeting. One view suggested that there were employment integration problems and that they could only be resolved after the social problems were solved. Reference was also made to the Newstart program involving the Department of Regional Economic Development. Were there any restrictions under the Public Service Act and if so, what could be done towards a more flexible approach.

The Chairman wanted to know whether the target date was realistic and whether the questionnaire was sufficiently clear and acceptable by the departments concerned. He suggested that many of the problems which might arise might well be resolved by communication with the department employment liaison officer responsible for assisting employers to provide gainful employment to the indigenous peoples of the territories. Her name is Miss E. Kehoe and her phone number is 5-8698.

It appeared that there was general agreement on the suitability of the questionnaire, but some clarification was required. As a result the Secretary would issue a set of guidelines to be used in conjunction with the questionnaire. This would include a definition of terms, e.g. what is a northern resident, etc., so that we would achieve reports for comparability.

was over
Mr. G. Taylor indicated that the questionnaire ~~should be~~ modest but that it might be fruitful to consider levels of employment, classification, etc. Reporting departments might wish to indicate the problems encountered. He referred to the statistics indicated on page 3 of Document XND-7 which showed a total of 2001 men employed in 11 mines in the Yukon and Northwest Territories of which only 91 were classified as indigenous.

It was agreed that once a set of guidelines were issued, departments would complete the questionnaires using the time frame indicated in the last paragraph of Document XND-7. Once the questionnaires were completed a full evaluation and analysis could take place and members would be kept "au courant".

III. Russia/Canada Exchange Visits - Document XND-8 deferred from previous meeting

The Chairman noted the presence of Mr. Peel, Secretary of the Visits Panel of the Department of External Affairs. He explained that it was believed that the A.C.N.D. could be of service to the Visits Panel in tendering advice on exchange visits which involved Northern Canada and Northern Russia and Siberia and invited Mr. Peel for his comments.

Mr. Peel responded by explaining the raison d'être of the Visits Panel, its composition, etc., and how it functioned, with respect to visits to countries of the Eastern bloc. The aim was to achieve some measure of reciprocity to avoid an imbalance in visit exchanges. He believed the A.C.N.D. could be useful and he welcomed this initiative.

On discussion it was revealed that Gosstroy (the U.S.S.R. construction committee) would welcome a Canadian delegation interested in design and production of buildings in northern areas. However the problem was complex. There was really no opposite number in Canada to correspond to Gosstroy. Yet there were interested departments and agencies such as I.A.N.D., National Research Council, Public Works, and therefore a small group to coordinate the Gosstroy invitation might be advisable. It was mentioned that return visits tend to end up in Southern Canada.

The Chairman suggested the Secretary prepare additional background material on visits and perhaps set out in a paper some of the objectives for encouraging visits to northern Canada. There was also agreement with respect to finding the right organization with whom one could do business. As Dr. Hutcheon pointed out, cold weather construction is being done in Winnipeg and Edmonton and not necessarily in the Canadian North, whereas in northern Russia and Siberia construction on a large scale was continuous winter and summer. The National Research Council was able to negotiate an agreement with the National Academy of Sciences, but this did not relate to exchange visits to Northern Canada. When visitors from

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the Eastern bloc wish to visit northern settlements some other agency is required to coordinate the visit other than N.R.C. It would seem that A.C.N.D. could perform this function.

The Chairman noted the remarks and said he believed the A.C.N.D. could coordinate northern advice and information. After the Secretariat produces additional information a final discussion will take place.

IV. Arctic Lifelines Ltd. - Document XND-9
already distributed

Mr. Yates described the events leading up to the granting of a lease of 402 acres at Radstock Bay, Devon Island, N.W.T. While the document circulated gave the details of the proposed operations, it should be remembered that the Government of Canada could exercise at any time its prerogative and rescind the lease at short notice. Details of the Company were given, the Chairman was a Mr. H.A.R. Steltner of St. Catharines, Ontario. Other directors were from the U.S.A. Mr. Steltner has had experience in the North, and undoubtedly before forming this Company had visited the area in question and had read the reports of the Geographical Branch. It was understood he had lined up a number of companies about to engage in northern activities for whom he was prepared to offer services, including board and lodging.

Mr. Laframboise indicated an interest by his department and referred to the last sentence concerning re-assessment and wondered what timing was being considered.

It was explained that Steltner would not start constructing this year so that everything was now delayed a year. It was pointed out that the Company had no exclusive franchise.

Col Macdonald. The development of Radstock Bay is intriguing and all undoubtedly recognize a multi-government interest. Perhaps an in house study of all the aspects is required.

Mr. Loftus stated that with the development of northern communications, his department would have to advise Bell Canada and Telstat, where these northern communications centres should be constructed.

The Chairman suggested a small working group to consider the future relative merits of Radstock and Resolute having regard for the matters raised. A suggestion that departments who may have an interest ~~and~~ were not canvassed ^{was incorrect} is quite untrue. Unfortunately little apparent interest was generating until a lease was signed, sealed and delivered. ^{ed} after the lease was signed

It was agreed that Mr Weick should call together such a group.

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Mr. Loftus pointed out that the working group on communications were vitally interested in the selection of a communications centre. Presently Eastern Arctic communities were served from Frobisher Bay. A change to Resolute or elsewhere was going to cost a lot of money.

The Chairman stated that a major mineral development could effect the plans and of course the Territorial administration had to be considered.

Mr. Fox reminded those present that there were such matters as five year plans and a lot of money already invested in Resolute Bay.

A question was asked whether the lease contained a clause with respect to the employment of indigenous people. It was explained that a lease agreement contained no such clause, but the company concerned was mindful of the employment of local people, although in this case no native settlement existed in the vicinity of Radstock Bay.

The Chairman reiterated that further studies would be made and interested departments would want to cooperate in these studies. The Committee would be kept fully informed.

V. Political and Constitutional Development of the Territories
Document XND-10
already distributed

The Chairman noted that this paper had been prepared to provide additional background material in conjunction with Document XND-5 a proposal for territorial representation on the A.C.N.D.

Mr. Taylor noted that he had no strong feelings against the participation of the Territorial Administration, but that there may be times when their presence could be awkward.

During the ensuing discussion, it was suggested that if an item on the agenda could become a source of embarrassment the item be deferred for consideration by an "ad hoc" committee. It was unlikely that such an action would be frequent. It was pointed out that it is the Territorial Administration that was being invited and not the political entity. The alternatives were 'partial representation' or as 'observers' or 'full participation' and the benefits of proper and effective participation could exceed the disadvantages.

The Chairman pointed out that when agreement in this Committee was reached it would mean a recommendation to the Main Committee for final approval.

When asked whether the Commissioners wanted to have representation on the Committees of A.C.N.D., Mr. Davidson replied they did, but whether they would be able to attend regularly was another matter, but the aspect of federal coordination in the North was important to them.

However representation on the Co-ordinating Committee which met with general approval, posed other problems with respect to the Commissioners appointed as members of the Main Committee. It was pointed out that this could create a certain imbalance as the Department of Indian Affairs and Northern Development would have three voices representing the Minister.

The Chairman suggested a paper outlining all these views for submission to the Main Committee.

Mr. Taylor raised the issue of bringing all matters of relative importance to the Committee and pointed out that coordination could only be achieved by frank discussion. He mentioned a number of matters including amendments to the Territorial Lands Act, Task Force report on northern oil, etc., as examples of important items which should be brought to the Committee.

The Chairman agreed that so long as constraints applied, this should be the objective. As everyone knew certain constitutional changes were privileged information available to only a limited few and therefore could not be brought to a full Committee, but all matters of substance will be brought to the Committee and we must recognize that certain policy and constitutional discussions be reserved for the Main Committee.

Mr. Yates spoke briefly on the Arctic Land Use program, the problem of pollution, etc. While the matter was being dealt with in another committee, this committee should be informed.

VI. Proposal to re-establish sub-committee on Transportation -
Document XND-II
already distributed

The Chairman noted that questions of re-establishing this sub-committee had been made at previous meetings, and this paper set forth the reasons for so doing and he believed this had general approval.

Mr. Laframboise expressed his support for the recommendation in Document XND-II that the Sub-Committee on Transportation be re-activated but that the proposed terms of reference in the Document only in principle, subject to:

- (a) their review by the Sub-committee; and

(b) a re-examination of the role and terms of reference of the Sub-Committee following the establishment of the Arctic Transportation Administration.

In the discussion, it was agreed that this Sub-committee would provide a useful forum, and there were a number of matters which it could tackle usefully. Many of these matters, such as the Herschel Island feasibility study, the reports of the inter-departmental committee on northern roads, the resolutions and recommendations as contained in the 1970 Conference on Improvements to ~~the~~ Athabaska-Mackenzie Waterway and Western Arctic. The Secretary read out the resolution affecting the A.C.N.D.

The Chairman commenting on the Arctic Transportation Administration, pointed out that roads were generally a provincial matter, and should not necessarily be a part of the A.T.A. It was also pointed out that the "ad hoc" committee on Air Cushioned Vehicles no longer existed, but that a complete report recognizing the preliminary trials on several prototypes was completed and available through the National Research Council.

Col Macdonald supported the paper, particularly with the problems of air strip facilities and relationship of the D.E.W. line. He also informed the Committee that Federal Electric were now known as Arctic Services and that a decrease in funds would affect the Eskimos employed along the line.

Dr. Frost pointed out these economics were affecting the Health Services. Approval was given to the re-establishment of the Sub-committee on Transportation, recognizing the suggestions of Mr. Laframboise and that the Department of Transport would appoint a Chairman and the Department of Indian Affairs and Northern Development provide the Secretariat.

VII. Italian-Danish Polar Expedition - Document XND-12
already distributed

The

The Secretary stated this was an information item only.

VIII. "Strategy for Northern Development" - Document XND-13
already distributed

The Chairman referred to the original discussion in the Main A.C.N.D. committee in which this subject was to be debated informally with this Sub-committee and eventually to report back to the main committee after discussion a smaller group of Assistant Deputy Ministers got together and re-examined the paper. This Document XND-13 represents the discussions which took place at that meeting, and it is to be noted that some differences of opinion existed. The basic criticism concerned

The objectives which some members considered regional rather than national. It was agreed that the objectives would and can be redefined, and Treasury Board has offered assistance in this regard. While a small working group had further discussed the Strategy for Northern Development, it was not intended to inhibit this committee from comment. In fact, members were asked to set out in writing any basic objections they may have and to send them to the Secretary. All comments will be considered carefully and applied where possible to the Document. We are trying to set out desirable and attainable objectives which all departments will agree to. Activities of other departments impinge on these objectives. Hopefully we can reach a consensus. We have placed before you an important document which we believe contains a desirable strategy where northern development in its broadest rôle is concerned.

Mr. Fox hoped that agreement on a set of objectives could be reached soon.

The Chairman proposed to call together a working group to assess the revised objectives. The ultimate goal is to have the A.C.N.D. in a fully coordinating rôle.

In future it was intended to issue an agenda clearly showing those items for information and those on which discussion was expected.

The next meeting would take place in the latter half of May and a film "~~Natural Resources Potential in the North~~" would be screened. *The North has Changed,*

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.

April 2 , 1970.

Deputy Minister of
Indian Affairs and
Northern Development

Document disclosed under the Access to Information Act -
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Sous-ministre des
Affaires indiennes et
du Nord canadien

TO:

A:

A. W. Smith

Date

31 Jan / 70

☐ Approval
Approbé

☐ May we discuss
Discussion avec nous

☐ Signature

A. W. Smith

☐ As requested
Selon indications

☐ Comment
Commentaire

☐ Note
Noter

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For your information

Carson
Secretary

000188

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The first meeting of the Co-ordinating Committee of the Advisory Committee on Northern Development was held on Monday, January 19, 1970, at 2 p.m., in the 14th floor conference room, Centennial Tower, 400 Laurier Avenue West, Ottawa 4, Ontario.

I.A. 8: P.D.	
CENTRAL SERVICES REGISTRY	
FILE No.	JA 30 976
CORR. No.	S 87-3-1A
REFER. TO	A D Hunt

PRESENT

Mr. A.D. Hunt, Assistant Deputy Minister, Department of Indian Affairs and Northern Development (Chairman)

Mr. T.H. Anstey, Department of Agriculture
Mr. F.F. Wilkinson, Defence Research Board
Mr. R.B. Elver, Department of Energy, Mines and Resources
Mr. R.B. Toombs, Department of Energy, Mines and Resources
Mr. R.P. Cameron, Department of External Affairs
Mr. E.B. Wang, Department of External Affairs
Mr. J.W. Bailey, Department of Public Works
Mr. A.S. Loftus, Department of Communications
Mr. T.V. Myrick, Department of Communications
Mr. G. Taylor, Department of Finance
Mr. R. Filion, Department of Finance
L/Cmd. A.D. Taylor, Department of National Defence
Mr. J.F. Anderson, Department of National Defence
Mr. V.V. Spence, Department of National Defence
Dr. W.H. Frost, Department of National Health and Welfare
Mr. J.C. Morrison, Department of Manpower and Immigration
Mr. J.B.S. Rose, Department of Manpower and Immigration
Mr. D.R. Stephens, Privy Council Office
Dr. W.F. Schneider, National Research Council
Mr. H.K. Britt, Department of Supply and Services
C/Supt. A. Huget, Royal Canadian Mounted Police
Mr. C.R. Levelton, Department of Fisheries and Forestry
Mr. R.W. Hyndman, Department of Transport
Mr. A. Laframboise, Department of Transport
Mr. Jaques Côté, Department of Transport
Mr. C.M. Bolger, Treasury Board
Mr. A.B. Yates, Department of Indian Affairs and Northern Development
Mr. K. Hawkins, Department of Indian Affairs and Northern Development
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Mr. D. Davidson, Department of Indian Affairs and Northern Development
Dr. T.F. Wise, Department of Indian Affairs and Northern Development
Mr. E.R. Weick, Department of Indian Affairs and Northern Development
Mr. C.L. Merrill, Department of Indian Affairs and Northern Development
Mr. C.C. Hitsman, Department of Indian Affairs and Northern Development

Mr. L.A.C.O. Hunt, Advisory Committee on Northern Development (Secretary)

- 2 -

I. Terms of Reference of A.C.N.D., membership and Committee Structure, (Secretary's memoranda XND-1 and XND-4).

The Chairman welcomed the large turn-out and indicated that it would not be possible to complete the agenda today. Furthermore, his own participation would have to be terminated by 3 pm regretfully. The papers XND-1 and XND-4 before the Committee represented first the history of the Advisory Committee on Northern Development and its basic terms of reference. He pointed out that the Committee "provided for the effective co-ordination in all government activities in that area" but in actual fact had failed to live up to this mandate. That the Committee had provided an effective forum of discussion over the years on many matters of major concern was indisputable, but in other ways it had fallen short in its mandate. Perhaps the reason for this is the lack of executive authority, and the fact that departments had been reluctant to bring to the Committee, items which they rightly considered exclusively within their own jurisdiction. Whatever the reason, the fact remains that development in the northern territories can no longer remain on an "ad hoc" basis, but must fall within the national objectives. Thus, all departmental programs, where they affect the northern posture, should have a common approach, and the idea of the Co-ordinating Committee, already approved by the members of the main Advisory Committee on Northern Development, seems to be the best means of achieving the objectives set by the Government for northern development. Obviously it is highly desirable to ensure that the money spent on northern programs is spent in an optimum manner in order to advance the economic, social and political development of the territories.

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- (c) regular reporting to Cabinet by the Co-ordinating department on the degree of optimality being achieved in the total federal effort, the areas which are sub-optimal, and the changes required to reach optimality, including organizational and program changes.

Mr. G. Taylor stated that a committee with the above terms of reference would render the main committee of the A.C.N.D. redundant.

The Chairman pointed out there was a difference in that all recommendations of the Co-ordinating Committee would be made to the main Committee.

Mr. R.B. Toombs wondered to what committee would the present sub-committees of A.C.N.D. report.

Mr. Taylor expected that each member of the co-ordinating committee would come to each meeting after proper consultation with his Deputy Minister.

Mr. C.M. Bolger favoured the idea of a strong main committee, and also a strong working group. He did not envisage the abolition of the A.C.N.D. in the foreseeable future, but he was concerned with the role of the co-ordinating committee.

The Chairman said he wanted to refer to the proposed terms of reference of the Co-ordinating Committee as they had been described

on page 3 of Document XND-4. They are:

- (a) Propose specific programs for the development of the Northern Territories and formulate their programs into a general plan;
- (b) Review and comment on all proposed programs and studies which may have a major bearing on the development of the northern territories;
- (c) Strike 'ad hoc' working groups to consider particular aspects of northern development as needed; and
- (d) Advise the senior officers of interested departments on aspects of northern development.

The Chairman referred to the Panaractic agreement which had been unilaterally proposed by one Department. He hoped that in future major proposals of this kind would be discussed in the co-ordinating committee. In any case, he hoped the members would freely discuss these proposals as it was important to get adequate feedback.

Mr. Taylor suggested the phrase "consider and advise" rather than "review and comment".

Mr. G.W. Rowley pointed out that the government of Canada specifically designated the Department of Resources and Development (now Indian Affairs and Northern Development) as the co-ordinating department and this was subsequently written into the legislation.

M. Toombs. Does this mean that all ongoing programs will come under the purview of this committee?

The Chairman stated that they should.

Mr. H.K. Britt stated that if the Co-ordinating Committee is established as a working committee, most of the departmental representatives would be spending all their time at committee discussions.

The Chairman pointed out that since the Department of Indian Affairs and Northern Development was primarily responsible for northern programs, anything put to the committee would be in the form of a "working paper" and each department would have sufficient time to study it prior to committee review. Such existing programs as the Interdepartmental Committee on Water, Polar Continental Shelf Program were in the category of ongoing programs. On the subject of sub-committees, the Chairman mentioned that Dr. J. Harrison Assistant Deputy Minister of the Department of Energy, Mines and Resources had consented to become Chairman of the Scientific Research Sub-Committee, with the A.C.N.D. supplying the secretariat. A meeting of this Sub-Committee would be convened shortly.

At this point it was agreed that the word "executive" would be dropped from the title of the committee (Secretary's note, all other references to the use of this word have been deleted from the minutes).

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The Chairman also mentioned the Sub-Committee on Transportation which had not met for some time. He believed it required new terms of reference, as there were a number of transportation studies initiated. For example,

1. D.P.W. is undertaking a feasibility study of Herschel Island.
2. N.T.C.L. and I.A.N.D. studying water requirements of the future.
3. Interdepartmental Committee on Northern Roads.

Mr. A. Laframboise inquired how best to set out the terms of reference in order to incorporate the responsibilities of the Committee.

The Chairman indicated that the department exercising the prime responsibility should provide the Chairman and I.A.N.D. would provide the Secretariat. The Chairman also spoke about the N.W.T. and Y.T. highway systems and the need to turn over to the territorial administrations the maintenance of these systems. Another committee in existence was one established by the Department of Communications.

Mr. A.S. Loftus. This was another example of the two tier system, a main committee and a working group. The working group would report to this Co-ordinating Committee.

Mr. Taylor suggested two additional sub-committees, one on "Political and Constitutional Development" and the other on "Indian and Eskimo development in the Territories".

The Chairman believed that the latter subject could be included under Item 4 on the agenda "Employment of Northern Residents".

1. It was agreed that all subject papers and recommendations would be circulated to departments and agencies to ensure an awareness of the co-ordinating responsibility for the North.

The subject of the Commissioners being participating members of the Committee was also raised.

2. It was agreed that a paper on the Territorial Government participation would be prepared and circulated - and the prime responsibility for this paper would be the Territorial Relations Branch of the Department of Indian Affairs and Northern Development.

Mr. J.C. Morrison believed that the Department of Regional Expansion should be invited to these deliberations.

The Chairman explained that Regional Expansion does not extend its programs beyond the 60°N latitude, and I.A.N.D. co-ordinates those programs beyond this line of latitude and some which are below this line depending on the circumstances.

3. It was agreed that the specific terms of reference of the Co-ordinating Committee be further considered by all participating departments that departments would submit any proposed changes or amendments to the Secretary before the next meeting and that these terms of reference would again be debated at that meeting before approval and submission to the A.C.N.D. for information.

I A Strategy for Northern Development (Secretary's Memorandum ND-481)
The Chairman. Because of the implications involved and the need to review this in detail, this item should be deferred to the next meeting.

III Frobisher Bay Development Plan (Secretary's Memorandum XND-2)
The Chairman, Mr. A.B. Yates, gave a brief background history of the reasons for developing Frobisher up to the present construction plan which involves an hotel, administration building, stores, apartments and individual residences developed by private interests under a lease back arrangement. After 20 years, the entire complex will revert to the Crown for the sum of \$1.00. The plans for 1970-71 include a Vocational Training School and the conversion of the S.A.C. building plus further site improvement which would include sewage and water utilidor connections.

Mr. Davidson explained that the government would start to take over the facilities ahead of the schedule and that all departments and agencies had been advised with respect to accommodation and space. The housing allocation was not yet complete. He also reminded the members that on April 1st the N.W.T. Government will takeover the administration, but this will not interfere with the arrangements. Mr. Davidson further suggested that Departments and Agencies should start now to plan their requirements and discuss with representatives from this Department, as the occupancy stage is imminent.

Mr. Bolger pointed out that the Treasury Board showed some concern over the cost of furnishings as indicated on page 2 of the paper.

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Mr. Davidson explained that this proposal by the developer was unacceptable and the Department is now prepared to fly the furnishings in as and when required.

Mr. Chairman. There appears to be agreement that the paper outlines the reasons for the development and that individual departments seeking accommodation will liaise with our personnel in the Territorial Relations Branch. It should also be pointed out that in order to commence the renovation of the S.A.C. building, personnel of different departments and agencies presently occupying this building should have certain priority in the new accommodations.

IV Employment of Northern Residents (Secretary's Memorandum XND-3)

The Chairman reminded the members of the agreement reached at the 69th meeting of the A.C.N.D. in December, 1967. Since that time the Department has pursued a policy designed to assist all other departments in training and selecting northern personnel for northern jobs. He also informed the meeting of the new Employment Liaison group within the Northern Economic Development Branch of the Department whose job it was to work closely with northern employers and the educational authorities so that the right kind of training can be offered to those northern residents who show aptitude for specific jobs.

The Secretary explained the method of follow-up and for the past two years had shown as an appendix to the annual publication "Government Activities in the North" the trend towards employment of northern residents in the Territories.

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C. Supt. Huget mentioned the R.C.M.P. policy of training northern residents as policemen and then later transferring them to other provinces. He wondered how this could be reconciled statistically.

The Chairman, in summing up, stated that a firm commitment had been made by all Departments and Agencies, and if there were problems in meeting this commitment, this Committee should be the forum to discuss them and seek the solutions. There was a need to clearly identify progress towards the goal and he therefore proposed circulating a proposed procedure for this to members prior to the next meeting. He suggested that follow-up might be achieved either through a Committee of the A.C.N.D. or through departmental liaison officers and asked departments to give these alternatives some thought before the next meeting.

Mr. Taylor thought his "Indian & Eskimo development in the Territories" Committee could fulfil this function.

The Chairman, because of the time factor, asked for and received approval to defer items V, VI, VII and VIII until the next meeting.

It was agreed that the next meeting of the Co-ordinating Committee would take place on Wednesday, February 11, at 2:15 p.m. in the 14th floor conference room, Centennial Tower, 400 Laurier Avenue West, Ottawa 4, Ontario.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.

January 22, 1970.

000198



DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
MINISTÈRE DES AFFAIRES INDIANES ET DU NORD CANADIEN

TEMPORARY FILE SLIP
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SUBJECT - SUJET

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I.A. & N.D.
CENTRAL SERVICES REGISTRY

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-fifth meeting of the Committee was held on Friday, January 9, 1970, at 2:00 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.

FEB 12 1970
FILE No. 58 7-3-1A
COR No. 0254
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PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development (Chairman)
Mr. B.H. Robinson, Deputy Under Secretary of State for External Affairs and Deputy Minister designate, I.A.N.D.
Mr. J.P. Drolet, A/Deputy Minister, Energy, Mines and Resources
Mr. W. Gilchrist, President, Northern Transportation Co. Ltd.
Mr. A.E. Gottlieb, Deputy Minister, Department of Communications
Mr. H.W. Hignett, President, Central Mortgage and Housing Corp.
Dr. L.J. L'Heureux, Chairman, Defence Research Board
Mr. A.W.H. Needler, Deputy Minister, Department of Fisheries and Forestry
Mr. S.B. Williams, Deputy Minister, Department of Agriculture
Dr. J.C. Arnell, Asst. Deputy Minister, Dept. of National Defence
Mr. R.D. Hiscocks, Vice-President, National Research Council
Mr. J.M. Lowe, General Manager, Northern Canada Power Corp.
Mr. R.A. Jenness, Department of Manpower and Immigration
Mr. D.H.W. Kirkwood, Privy Council Office
Mr. G.T. Raymer, Treasury Board
Mr. R.S. Rettie, Science Secretariat
Mr. Gordon Stead, Asst. Deputy Minister, Department of Transport
Mr. A.M. Swann, Department of Supply and Services
Mr. G. Taylor, Department of Finance
Rear Admiral R.L. Timbrell, representing Chief of the Defence Staff
Mr. H. Walker, Canadian Broadcasting Corporation
A/Comm. E.W. Wiles, Royal Canadian Mounted Police
Mr. G.B. Williams, Asst. Deputy Minister, Department of Public Works

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

Advisory Committee on Northern Development
seventy-fifth meeting - Page 2

ALSO PRESENT:

Mr. W.E. Armstrong, Department of Fisheries and Forestry
Mr. W.R. Binks, Department of Public Works
Mr. Gilles Bergeron, Department of Communication
Mr. M.C. Crowe, Department of Finance
Mr. R.B. Elver, Department of Energy, Mines and Resources
C/Supt. A. Huget, Royal Canadian Mounted Police
Mr. J.L. Fry, Treasury Board
Dr. T.G. How, Department of Transport
Mr. R.S. Fillion, Department of Finance
Mr. L. Montpetit, Northern Transportation Company Ltd.
Mr. A.M. Pennie, Defence Research Board
Mr. C.S. Barry, Department of Energy, Mines and Resources
Mr. C.B. Crawford, National Research Council
Mr. L. Hewson, Department of Transport
Mr. A.D. Hunt, A/Asst. Deputy Minister, Department of Indian
Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern
Development
Dr. T. Wise, Department of Indian Affairs and Northern
Development
Dr. H. Woodward, Department of Indian Affairs and Northern
Development
Mr. E. Weick, Department of Indian Affairs and Northern
Development
Mr. C.L. Merrill, Department of Indian Affairs and Northern
Development
Mr. C. Hitsman, Department of Indian Affairs and Northern
Development.

Advisory Committee on Northern Development
seventy-fifth meeting - Page 3

I. A STRATEGY FOR NORTHERN DEVELOPMENT

(Secretary's memorandum ND-481, distributed January 5, 1970).

The Chairman took the opportunity to introduce Mr. H.B. Robinson, the Deputy Minister designate of the Department of Indian Affairs and Northern Development who will become his successor as Chairman of the Advisory Committee on Northern Development.

The Chairman then introduced the subject "A Strategy for Northern Development" by pointing out that northern development was not just the concern of one department but it affected the many departments and agencies of the federal government whose responsibilities in some form or another took them in the Territories. One had only to look at the index of the annual publication of the Advisory Committee on Northern Development to note the diverse character of the activities carried on in the Territories by so many departments and agencies. The purpose of this presentation is to expose our view of a northern strategy for preliminary consideration, not necessarily to grapple with the detail, but if general agreement can be reached, it can be turned over to the Co-ordinating Committee for detailed scrutiny and approval. When it has been returned to this Committee, any changes or modifications recommended by the Co-ordinating Committee will be considered so that we can go to Cabinet for final approval and finally to the various stages of implementation. It is hoped that the role of the Co-ordinating Committee will be to establish positive guidelines by which implementation is possible.

Mr. A.D. Hunt (Chairman of the Co-ordinating Committee) conducted the presentation by slides, and a general commentary on the objectives.

Mr. Hunt traced the historic sequence of events in the gradual development of the Territories, from the traders, through missionaries to the defence era of World War II. He also spoke about the social problems created, and how resources had been developed in response to opportunities. He explained how infrastructure had developed to meet specific demands i.e. Great Slave Lake Railway.

In continuing this presentation, Mr. Hunt assessed the various factors which influence development such as:

I. Geographic

- (a) Vast region - 40% of Canada's land mass.

Advisory Committee on Northern Development
seventy-fifth meeting - Page 4

- (b) small population,
- (c) severe climate,
- (d) large areas of empty land,
- (e) large bodies of water,
- (f) point settlement,
- (g) large resource potential, but unevenly distributed.

II. Background factors - Government programs 1950 to present

- (a) defence activities,
- (b) social programs - subsistence payments - education - health,
- (c) roads, power, airfields,
- (d) incentive programs - prospector's assistance, mineral grants assistance, mine access roads.

Mr. Hunt stressed the need for all agencies working in accordance with an accepted set of objectives, but there has been insufficient inter-agency planning and co-ordination of many important programs.

Some indications of Progress

1. Mortality rate (N.W.T.)

<u>1950</u>	<u>1968</u>
22 per 1,000 population	6.6 per 1,000 population
2. School enrolment (N.W.T. and Arctic Quebec)

<u>1955</u>	<u>1967</u>
2,000	7,792
3. Education (Yukon Territory)

<u>1949</u>	<u>1967</u>
Schools 10	21
Teachers 23	165
Enrolment 652	3,250

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4. Roads (main network Yukon and N.W.T.)

<u>1957-8</u>	<u>1967-8</u>
987 miles	2,080 miles

5. Mineral Production (Yukon and N.W.T.)

<u>1959</u>	<u>1968</u>
\$37,418,242	\$144,813,390

It was pointed out that Federal Government programs have become increasingly diverse and complex, and considering the Canadian economy in toto, Northern Canada is a deficit area in the sense that it consumes more of the nation's resources than it contributes to the national economy.

Finally the Chairman described the methodology to be employed based on the following objectives:

1. To advance the social, economic and political development of the Yukon and Northwest Territories for the benefit of northern residents.
2. To maximize the Territories' contribution to Canada by optimum management and use of northern resources.
3. To maintain Canadian sovereignty throughout the north by effective occupation.

Based on these objectives, there were certain parameters and constraints involved in northern development. These include the definition of Federal and Territorial responsibilities and such inhibiting factors such as climate, small population, high cost transportation, etc.

Then followed a list of possible strategies and how it would effect different regions having full regard for the economic, social and political implications.

There followed a suggested figure for development during the next decade 1971-1980 as follows:-

Initial support expenditures for Baffinland	\$ 40 million
" " " power development	30 million
" " " rail development	30 million
Mobility programs (4,000 families at \$5,000 per family)	20 million

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seventy-fifth meeting - Page 6

Road and airport development	\$100 million
Increased expenditures in resource management	<u>30 million</u>
Ten year costs	\$250 million
Offset possible annual revenues	100 million

(Note): All above figures very tentative and should be viewed as additional to normal expenditures by I.A.N.D. and other Federal departments in the northern territories.

The Chairman then opened the meeting to general discussion.

Mr. J.P. Drolet asked what is the assessment of mineral potential in relation to existing survey developments.

The Chairman replied that this was just beginning and all indications were that the mineral potential is great.

Mr. G.B. Williams asked about agricultural development and its potential.

The Chairman indicated that many factors affect agriculture in the North. As technology improves, this could change - the agricultural experimental stations in the Yukon and Northwest Territories were now being phased out.

Dr. J.C. Arnell questioned how sovereignty could be retained when the strategy suggested depopulation in some areas.

Dr. T.F. Wise answered this question by speaking of deferred development which has been indicated on the chart. Economic activity does not necessarily imply large numbers of people. The Panarctic area of development for example, has large capital investment but a small population.

Mr. G.B. Williams observed that the basic thoughts in the paper and the presentation stressed co-ordination to achieve the objectives. Here was a case where the decision making process has to operate. Other departments' northern policies may be at odds with those of the Department of Indian Affairs and Northern Development. It was apparent therefore that discussions would have to take place before budget presentations.

Dr. G. Stead stated that the difference between revenue and expenditures should not be comouflaged by subsidies. For example, the Department of Indian Affairs and Northern Development strategy would suggest that northern transportation funds come from a departmental source.

Advisory Committee on Northern Development
seventy-fifth meeting - Page 7

The Chairman stated that he would not wish to impose overriding programs which would lead to confusion. First, we must obtain federal government agreement with respect to northern development. Secondly, establish objectives and determine how they can be attained. Other departments, when they know the strategy objectives will organize and establish their programs accordingly. It is hoped that departments will be willing to discuss their northern plans.

Mr. L. Fry expressed certain apprehensions about the plan in general.

The Chairman stated that the plan development would be exposed to all Advisory Committee on Northern Development members for review and consideration.

Dr. Arnell thought that there could arise a difference between objectives and requirements. In other words, those things which must be accomplished immediately and those which are of necessity on a continuing basis.

Mr. Drolet stated that the North was just one region of Canada and there are problems when you concentrate on its development when the revenue is almost nil. We are concerned with mineral resources which are internationally competitive.

The Chairman. I don't believe you can ignore an area which is 40% of Canada's total land mass. Besides, there is sovereignty as well as people to consider, the government must establish a program for development and outline the priorities.

Mr. G.B. Williams the plan appears basically a concept of the Department of Indian Affairs and Northern Development, and if accepted by the Federal Government, it would have to direct departments to put funds into a northern development program to meet the objectives.

The Chairman thanked the Committee for its participation.

- I. It was approved that further discussions of the "Strategy for Northern Development" would take place in the Co-ordinating Committee, and after consensus had been arrived at would report back to the main Committee.

Advisory Committee on Northern Development
seventy-fifth meeting - Page 8

II. Other Business

Panarctic Oil

A confidential document distributed at the meeting concerned with further investment by the Crown in Panarctic Oils Ltd.

The Chairman gave a brief summary of the document which included a background history of the Panarctic Oils and its efforts to date in the Canadian Arctic and the recommendation to provide for the maintenance of the Federal Government's 45% equity by an investment of additional funds.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development

February 10, 1970.

"The Government to Invest a Further \$13.5 Million

in Panarctic Oils Ltd." - February, 1970

Introduction

The Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development announced in the House on February 4, 1970 that the Government would invest an additional \$13.5 million in Panarctic Oils Ltd., further to the Government's original investment in the Company of \$9 million made in December, 1967. The Government's further investment will provide for the maintenance of the nation's 45 per cent equity interest in Panarctic.

Organization and Financing of Panarctic

1. Panarctic Oils Ltd. was incorporated under Federal Charter on May 27, 1966 to undertake an exploratory and drilling program in Canada's Arctic Islands. The Company's authorized capital consists of 3,000,000 six per cent preferred shares with a par value of \$10 each, and 1,000,000 common shares of no par value. The Company's business office is at 703 - 6th Avenue S.W., Calgary 2, Alberta.
2. The initial financing of Panarctic has been undertaken by a consortium of mining and oil companies and individuals together with the Government of Canada. All participants in Panarctic are listed in Table 1. By agreement of December 12, 1967, the Government invested \$9,022,500 in Panarctic and in return obtained 900,000 preference shares and 225,000 common shares, being a 45 per cent equity interest in Panarctic. Members of the Consortium in aggregate put up \$11,027,500 for 55 per cent equity interest.
3. Panarctic gave notice in October, 1969 of a further \$10 million financing permitting the original participants to subscribe in the issue of additional preference shares and common shares prorata to their interest in the initial financing. The Government will subscribe \$4,511,250, and members of the consortium an aggregate \$5,513,750.
4. Panarctic will extend its capitalization in the spring of 1970 to provide additional stock for further financing. Panarctic proposes to give notice in the spring of a further \$20 million financing permitting the original participants to subscribe in the issue of additional preference shares and common shares pro-rata to their equity interest. The Government will subscribe \$9,022,500, and consortium, \$11,027,500. It is not known at this time whether each of the consortium members will subscribe but if any member does not elect to subscribe, or does not elect to subscribe to the maximum amount permitted, the balance of the shares which are offered to him may be purchased by the other members of the consortium pro-rata to their respective equity interest. It is probable that each member will elect to subscribe the maximum amount.

- 2 -

5. The first three stages of financing will provide Panarctic with \$50,125,000. Decisions in respect to financing beyond the \$50 million will be taken late in 1970.

6. Each consortium member (or member group) may elect one Director to Panarctic's Board. The Government has two Directors on the Board, but may, if it should elect, place nine Directors on the Board. The Directors and officers of Panarctic are listed in Table 2.

7. Transfer of shares of Panarctic to others than the original participants must have Government approval. Thus the Government can regulate ownership and control of Panarctic which currently with the Government's participation is controlled by Canadians and ownership is held in an amount greater than 70 per cent by Canadian residents.

Panarctic's Oil and Gas Rights

1. By various agreements with companies and individuals exceeding 75 in number who hold oil and gas exploratory permits in the Canadian Arctic Islands, Panarctic has obligations and rights to earn interest in lands held by these companies by carrying out exploratory work. Companies, or company groups, or individuals from whom Panarctic has secured 'farmouts' of land, are listed in Table 3. Oil and gas permits which Panarctic has acquired directly from the Government, either by public application or through public sale are included in the more than 50 million acres held by the Company at this time.

2. The percentage interest which may be earned by Panarctic in fulfillment of its exploratory and drilling obligations under each agreement are noted in Table 3 and this interest is expressed as 'net acres' in the last column. If all earning options were exercised by Panarctic it could earn over 39 million net acres, or 79.5 per cent of the land committed.

3. Panarctic has chosen to farmout parts of its land in turn, to other companies upon terms beneficial to Panarctic, whereby the other companies (farmees) will fulfill Panarctic's performance obligations in those parts in return for a fraction of the interest which will thus be earned by Panarctic. In this respect Panarctic recently farmed out 945,000 acres of its various farmouts jointly to Triad Oil Co., Ltd., and B.P. Oil Ltd. These companies will jointly complete exploratory projects estimated to cost about \$8 million and earn 50 per cent of Panarctic's interest in these lands. Panarctic is also negotiating a farmout with King Resources Inc.

- 3 -

Panarctic's Exploration Program

1. Panarctic's operation commenced in the spring of 1968 with air lifting of fuel, material, equipment and personnel mainly to Melville Island. Operational base camps and air strips over 5,000 feet long were established at Sherard Bay and at Rea Point respectively on northeast and east central Melville Island. A deep water port located near the Rea Point camp was used to unload the ice strengthened cargo ship, Thora Dan in 1969.
2. A helicopter-serviced seismic exploration was conducted in northwest and northeast Melville Island in 1968 - over 676 miles of seismic line were shot. A similar operation was conducted in Loughheed, Edmund Walker, Amund Ringnes, Ellef Ringnes and King Christian Island, in 1969 - over 750 miles of seismic line were shot.
3. Gravity surveys in conjunction with surface geological surveys were conducted in 1968 on Bathurst Island, and in 1969 on Melville, Bathurst Somerset, and Prince of Wales Island and the Fosheim Peninsula of Ellesmere Island.
4. Two drilling rigs, one of 15,000 foot depth capacity, the other of 10,000 feet, were flown to Melville Island by Hercules aircraft in the spring of 1969. The first well, Panarctic Drake Point L-67 was spudded on April 19, 1969. The well encountered gas in possibly three separate zones, blew wild and caught fire - it was abandoned in October, 1969. The drilling rig was skidded 1,200 feet from the original hole and a new well drilled. The new well, Panarctic Drake Point K-67A encountered gas zones at 3,600 and at 4,600 foot depth, the former yielded gas on drill-stem test at flow rate of 10 million cubic feet per day, the latter at 13 million cubic feet per day.
5. The 10,000 feet capacity rig drilled Panarctic Sandy Point L-46 and Panarctic Marie Bay D-02 respectively to 6,895 feet, and 4,175 feet on northwest Melville Island. Both wells were unproductive and are abandoned. The rig is currently stacked at Rea Point awaiting suitable flying weather to permit it to be located in the spring of 1970 to drill Panarctic Towson Point G-63 near Weatherall Bay on the central east coast of Melville Island.
6. A drilling rig left since 1964 on Bathurst Island was refurbished and flown to a site on Hoodoo Dome, south central Ellef Ringnes Island. Panarctic Hoodoo Dome F-27 spudded on December 20, 1969 and is drilling below 2,000 feet at the end of January, 1970.

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- 4 -

7. Panarctic will drill or arrange for the drilling of a probable minimum of fifteen wells, in addition to the four drilled or being drilled. Its drilling program required to earn interest in farmout acreage will be completed by mid-1973. Other good drilling sites located in the course of the extensive seismic program but not evaluated by drilling in the obligatory or option drilling phases which end in mid-1973, will be drilled in subsequent years.

Other Activities in Canada's Arctic

1. Although geologic conditions and structures favourable for the accumulation of oil and gas have been known for more than a decade, to occur in Canada's Arctic Islands, less than \$10 million had been spent on exploration in the region, including drilling of three exploratory wells, prior to commencement of Panarctic's operation in 1968

2. It is estimated that the deep sedimentary basins in Canada's Arctic Islands, Mackenzie Delta and offshore region contain pools which ultimately may produce 50 billion barrels of crude oil, equal to more than 40 per cent of the ultimately potential crude oil reserves of all of Canada's sedimentary basins, which are estimated to hold in total almost 121 billion barrels.

3. The discovery early in 1968 of the rich oil pool at Prudhoe Bay in the North Slope of Alaska has made apparent the potential size of the 'prizes' which may be found in similar geological circumstances in Canada's Mackenzie Delta, Arctic Islands and adjacent offshore. Consequently, vast tracts, even in the deep, ice-covered waters of the Beaufort Sea and inter-island channels are now held under oil and gas exploration permits.

4. At the time of initiation of Panarctic's operation early in 1968, less than 90 million acres were held under oil and gas exploratory permit in the Arctic Islands, Mackenzie Delta and adjacent offshore. Today, more than 250 million acres are held under exploratory permit in this region.

5. Private companies, and company groups bid exploratory performance bonus equivalent to more than \$15 million for five blocks of permits containing 1.2 million acres located in the Beaufort Sea which were offered for tenders on January 31, 1969 by the Department of Northern Development. The bonus average of \$13.00 per acre was the highest ever received by the Federal Government. Probably at least three wells will be drilled in these blocks before December, 1975, to meet the commitments undertaken.

. . . 5

- 5 -

6. IOE Atkinson H-25, located on the mainland coast 35 miles northeast of Tuktoyaktuk, a recent significant oil discovery is immediately south of two of the five offshore work bonus blocks.

7. The Arctic Island - Mackenzie Delta and offshore region will experience a marked increase in exploratory activity in the next five years. Expenditures on exploration in Canada north of 60 latitude were less than \$30 million in 1967, have risen to \$45 million in 1969, and are expected to be over \$75 million annually after 1975 (see Figure 4). Many large land holders are formulating plans to initiate large scale, costly operations this spring and summer.

Discoveries, Transportation and Markets

1. A significant gas discovery has been made at Panarctic Drake Point well, and a significant oil discovery at Imperial Atkinson Point well. The future drilling programs of these companies, and numerous other competing companies in the Canada Arctic Island - Mackenzie River Delta and offshore region is confidently expected to bring about many other discoveries.

2. Extensive multi-million dollar technological investigations and feasibility studies are being conducted on transportation modes suitable to Canada's North, including oil and gas pipelining, ice-breaking tankers, submarine tankers, and Arctic harbour development.

3. The Government's past land disposal policy has given the incentive to exploration companies to venture into the difficult regions of Canada's North. The high risk investments to be made will almost certainly be rewarded by success, the intensive trials of crude oil transportation modes will almost certainly prove these modes to be practical. It can be confidently expected that oil from Arctic Canada will reach North American and foreign offshore markets within the next decade.

PARTICIPATION AND CAPITAL SHARE DISTRIBUTION

PANARCTIC OILS LTD.

	Initial \$20 Million Financing (late 1967)		Next \$10 Million Financing (early 1970)		Next \$20 Million * Financing (Mid-1970)			Equity*
	Preferred Shares	Common Shares	Preferred Shares	Common Shares	Preferred Shares	Common Shares	Amount *	%
Government of Canada	900,000	225,000	450,000	112,500	900,000	225,000	\$22,556,250.00	45.00000
Inkeno Mines Limited	45,175	11,294	22,588	5,647	45,175	11,294	1,132,203.50	2.25875
Acadel Oil Corp.	90,349	22,587	45,174	11,294	90,349	22,587	2,264,366.80	4.51745
ow Valley Industries Ltd.	45,175	11,294	22,588	5,647	45,175	11,294	1,132,203.50	2.25875
Campbell Red Lake Mines Limited	8,131	2,033	4,066	1,016	8,131	2,033	203,788.20	.40655
Canadian Gridoil Ltd.	18,973	4,743	9,486	2,371	18,973	4,743	475,505.70	.94865
Canadian Industrial Gas & Oil Limited	13,552	3,388	6,776	1,694	13,552	3,388	339,647.00	.67760
Canadian Nickel Company Limited	90,349	22,587	45,174	11,294	90,349	22,587	2,264,366.80	4.51745
Canadian Pacific Oil & Gas Limited	180,698	45,174	90,349	22,587	180,698	45,174	4,528,743.50	9.03490
ominco Ltd.	180,698	45,174	90,349	22,587	180,698	45,174	4,528,743.50	9.03490
nnelly, E.	2,259	565	1,129	282	2,259	565	56,611.20	.11295
onick Petroleum Ltd.	5,421	1,355	2,710	678	5,421	1,355	135,858.80	.27105
ome Mines Limited	16,263	4,066	8,132	2,032	16,263	4,066	407,596.40	.81315
ome Petroleum Limited	81,314	20,329	40,657	10,164	81,314	20,329	2,037,932.20	4.06570
gle Ridge Petroleum Ltd.	90,349	22,587	45,174	11,294	90,349	22,587	2,264,366.80	4.51745
cel Petroleum Ltd.	45,174	11,294	22,588	5,647	45,174	11,294	1,132,183.50	2.25870
pranda Mines Limited	90,349	22,587	45,174	11,294	90,349	22,587	2,264,366.80	4.51745
igma Mines (Quebec) Limited	2,711	678	1,356	339	2,711	678	67,949.50	.13555
enic Oils Ltd.	2,711	678	1,356	339	2,711	678	67,949.50	.13555
or Exploration Company Ltd.	90,349	22,587	45,174	11,294	90,349	22,587	2,264,366.80	4.51745
	2,000,000	500,000	1,000,000	250,000	2,000,000	500,000	\$50,125,000.00	100.00000%

* Probable Participation, Amount and Equity, following the third stage financing.

TABLE 2

DIRECTORS AND OFFICERS, PANARCTIC OILS LTD.

DIRECTORS

R.J. Armstrong, Montreal, Quebec
Vice-President, Cominco Ltd.

F.E. Burnet, Montreal, Quebec
Vice-President, Cominco Ltd.

J.P. Gallagher, Calgary, Alberta
President, Dome Petroleum Limited

C.M. Hinton, Houston, Texas, U.S.A.
President, Barber Oil Corporation

A.D. Hunt, Acting Assistant Deputy
Minister; Department of Indian
Affairs and Northern Development

E.A. Jonas, New York, N.Y., U.S.A.
Vice-President, Thor Dahl Inc.

J.A. MacDonald, Ottawa, Ontario
Deputy Minister, Department of
Public Works

J.W. McBean, Kirkland Lake, Ont.
Vice-President, Bankeno Mines Ltd.

D.C. McGavin, Q.C., Toronto, Ont.
General Solicitor - Canada, The
International Nickel Company of
Canada Limited

H.M. Pickard, Calgary, Alberta
Vice-President, Canadian Pacific
Investments

W.S. Row, Toronto, Ontario
Executive Vice-President, Noranda
Mines Limited

D.K. Seaman, Calgary, Alberta
President, Bow Valley Industries Ltd.

J.M. Taylor, Calgary, Alberta
Vice-President & General Manager,
Canadian Pacific Oil and Gas Limited

J.T. Wanamaker, Montreal, Quebec
General Manager, Cemp Investments
Ltd.

OFFICERS

J.M. Taylor, President
Canadian Pacific Oil & Gas
Limited, Calgary, Alberta.

R.J. Armstrong, Executive
Vice-President,
Cominco Ltd., Montreal, Quebec.

J.M. Godfrey, Vice-President
Dome Petroleum Limited,
Calgary, Alberta.

F.R. Matthews, Q.C., Secretary
MacKimmie, Matthews, Wood, Phillips
& Smith, Calgary, Alberta.

TABLE 3

ACREAGE COMMITTED TO PANARCTIC OILS LTD.

FARMOR	TOTAL ACREAGE UNDER AGREEMENTS	PERCENTAGE TO BE EARNED UNDER FARMOUT (MAX. PROGRAM)	ACRES EARNED UNDER MAX. PROGRAM*
Alminex	1,986,821	85%	1,688,797.8
Bankeno Mines et al	1,920,933	80%	1,536,746.4
B. P. Exploration	3,297,359	80%	2,637,887.2
Canada Southern	709,135	80%	567,308.0
Canada Southern) B. P. Exploration)	62,650	80%	50,120.0
Canada Southern) Clark, Skelly)	57,210	80%	45,768.0
Canadian Gridoil	1,316,546	80%	1,053,236.8
Canadian Homestead	1,227,652	85%	1,043,504.2
Canadian Industrial Gas & Oil	822,701	85%	699,295.8
Canadian Montana Gas	495,397	80%	396,317.6
Chevron Standard	1,071,598	50%	535,799.0
Cominco & Bankeno	3,637,781	80%	2,910,224.8
Consumer's Co-op	1,482,542	85%	1,260,160.7
Dome Petroleum	2,432,102	50%	1,216,051
Dominion Explorers	4,030,394	75%	3,022,795.5
Francana Oil & Gas	1,779,245.5	85%	1,512,358.7
Great Plains	3,863,359.5	50-60%	2,089,060.1
Kuma Oils	722,637	90%	650,373.3
Norpet Oil & Gas Ltd.	449,365	85%	381,960.3
Panarctic Oils Ltd.	5,494,738	100%	5,494,738
Pembina Pipe Line	660,983	80%	528,786.4
Petropar Canada	2,327,186	80%	1,861,748.8
Plains Petroleum et al	1,303,878	85%	1,108,296.3
Prairie Oil Royalties	1,526,213	77.5%	1,190,565.1
Wm. R. Sheeky	85,490.5	80%	68,392.4
B. E. Thouvenelle	162,633	85%	138,238.0
Trans-Western Oils (Axel-Heiberg)	25,324	80%	20,259.2
Trans-Western Oils (Ellef Ringnes)	24,958	90%	22,462.2
Triceetee Group	3,687,097.5	80%	2,949,675.6
United Canso (Devon-Axel Heiberg)	1,062,947	80%	850,357.6
United Canso (Somerset)	1,720,780	66-2/3%	1,147,071.9
Western Minerals	792,620	90%	713,358
Totals	50,240,276.0	--	39,391,714.7

Total % Acreage Earnable = 79.5% of Acres Farmed Out.

000215

* The net acreage shown assumes that all farmout options exercised.

THE OIL AND GAS INDUSTRY AND PROTECTION OF THE ENVIRONMENT IN CANADA'S NORTH

Activities which contribute to the destruction of our environment have become a matter of grave public concern in recent years, as delicate ecological balances are disturbed and in some cases irrevocably destroyed, by the world's spreading technological development.

Particular concern has been felt about the operation of the oil industry, largely as a result of two recent events, which have focussed the world's attention on this industry. The first of these was the Torrey Canyon disaster in which the oil cargo of a wrecked super-tanker threatened the beaches of Britain and France, and the living creatures of the sea shore, and near-shore waters. The second was the escape of oil into the sea off Santa Barbara, California from oil pools breached by drills seeking to win oil from the bed of the ocean.

In Canada, we have been fortunate in having a tradition of law which has enabled us to deal with threatening situations in an orderly way. In addition, we have had the advantage of observing the adverse aspects of resource developments elsewhere in time to take corrective measures in Canada at an earlier stage of development than has been the case in other countries.

This is particularly true in the case of the oil business. At one stage in the development of the industry, a blow-out was an expected and hoped for result of the drilling of any prospective oil well. This was the famous "gusher" which was at one time the symbol of success and sudden wealth in the oil business. Today it is the symbol of ill-luck or bad management in the conduct of drilling and completion operations. The change has been brought about by good management, improvements in equipment and techniques, and conservation regulations aimed at preventing the dangers, waste, and destruction that often resulted before a "gusher" could be brought under control. Luckily, the first pools discovered were shallow, and under low pressure by today's standards, otherwise the cost of the lessons learned from the early operations would have been much higher.

As a result of early lessons, techniques and equipment were developed by prudent and forward-looking elements of the oil industry and in many jurisdictions, the use of these techniques and the required equipment was made mandatory for all operators by the passage of so-called conservation acts and

regulations designed to ensure good practices were followed by the minority who might not otherwise have done so. Indeed, it was in connection with this industry that "conservation" first came to have real meaning and a wide practical application. Such regulations have reached what is probably their most advanced form in Canada, possibly because public ownership of oil and gas resources in the country provided governments with a greater incentive to act, and allowed public opinion to be more effective to forestall reckless practices aimed at quick returns without thought to the protection of the property rights of the nation and the general well-being. Whatever the reasons, Canada has been fortunate in having good example of such legislation. Made pursuant to the Territorial Lands Act in 1961 to replace older Regulations under that Act, they were also made pursuant to the Public Land Grants Act and consequently they apply to all Canada Lands outside of the provinces. They are administered by the Department of Indian Affairs and Northern Development in the Yukon Territory, the Northwest Territories, and Canada Lands under the seacoast waters of the Beaufort Sea, the Arctic Ocean, and the waters between and adjacent to the islands of the Arctic Archipelago, and by the Department of Energy, Mines and Resources in Canada Lands under the waters of the East and West Coasts, Hudson Bay and Hudson Strait.

These Regulations require all licensees to notify the Oil Conservation Engineer before commencing any drilling operations, and to obtain his approval of the program. Adequate casing and blow-out prevention equipment is required to be used, and broad discretion is given to the Conservation Engineer to ensure that proper practices are followed at all times and that only safe and proved equipment is used. To effect this, he may require the replacement or reconditioning of any tubing, casing or equipment, and may order operations to be discontinued until required action is taken. Daily Reports must be made of all operations conducted at all wells prior to and including the day of suspension, completion, or abandonment.

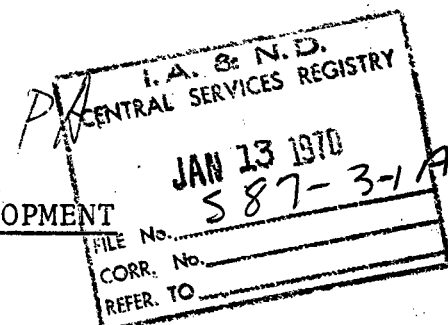
The Regulations make full provision for the prevention of waste, and require precautions to prevent contamination of the environment by drilling fluid, or oil or waste from tank or wells.

If a well becomes a menace to life or property, the Regulations empower the Minister to take over the management and control of the well, and at the expense of the licensee, to take such steps and employ such persons as are necessary to correct the situation.

In the absence of production these regulations were more than adequate, however, in anticipation of production on a large scale, the Oil and Gas Production and Conservation Act was passed by Parliament and given Royal Assent on June 27, 1969. This Act broadens the statutory base for Regulations covering oil and gas in the Yukon and Northwest Territories, and provides for very broad additional powers for the Minister in respect of production and transportation of oil and gas under his jurisdiction. It provides also for an Oil and Gas Committee, under the direction of the Minister, to hold enquiries and hear appeals in connection with oil and gas. A bill is now before Parliament to extend this Act to all Canada Lands Outside the provinces, including those under the jurisdiction of the Minister of Energy, Mines and Resources.

In addition to the special acts and Regulations covering the production and conservation of oil and gas, special regulations under the Territorial Lands Act for the preservation of the northern environment are in the final stages of drafting before being presented for the consideration of the Governor in Council. These regulations are drafted to protect Territorial Lands from operations not specifically covered by other legislation. If passed, they will require that permits be obtained by all persons before operations which might be damaging to the environment are conducted on Territorial Lands.

Provisions will be made for reports to be made by the permittee at regular intervals, and for inspections to be made by Departmental staff to ensure that damage is kept to a minimum. These regulations will cover mining exploration as well as oil and gas operations, and in the latter case will cover any operations involving power driven vehicles or other equipment capable of causing significant disturbances to the ground surface.



ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The Seventy-Fifth meeting of the Committee will be held on Friday, January 9th, 1970 at 2:00 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

A G E N D A

1. Presentation by the Chairman, Mr. J.A. MacDonald, on a new approach to Northern Development.

"A Strategy for Northern Development"
(Secretary's memorandum ND-481)
distributed to all members of the A.C.N.D.

2. Other Business

L.A.C.O. Hunt,
Secretary,
Advisory Committee on
Northern Development.

Department of Indian Affairs
and Northern Development.
January 8, 1970. *X*

Document divulgué en vertu de la Loi sur l'accès à l'information

Deputy Minister of
Indian Affairs and
Northern Development

Affaires indiennes et
du Nord canadien

TO: J. H. Gordon
A:

Date 18/June/69

☐ Approve
Approuver

☐ May we discuss
Discussion avec nous

☐ Signature

☐ As requested
Selon indications

☐ Comment
Commentaire

☐ Note
Noter

☐ Action
Donner suite

☐ Note and return
Noter et retourner

☐ Direct Reply
Répondre directement

☐ Note and forward to
Noter et faire suivre à

☐ Copy for this office
Copie pour ce bureau

☐ Preparation of reply by
Réponse d'ici le

☐ Information

..... ☐

J. H. Gordon

Ph. ...

000220

I.A. & N.D.
CENTRAL SERVICES REGISTRY
JUN 19 1969
FILE No. 587-3-17
CONFIDENTIAL
CORR. No.
REFER. TO

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ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 74th meeting of the Committee will be held on Thursday, June 26, 1969, at 2:30 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

AGENDA

I. Munro Para-Pole Expedition.

(Secretary's memorandum, Document ND-474, distributed 14 February, 1969).

II. Report on "Ad Hoc" Committee on Northern Construction.

(Secretary's memorandum, Document ND-475, distributed 26 February, 1969).

III. Frobisher Bay Centre and Development.

(Secretary's memorandum, Document ND-476, distributed 26 March, 1969).

IV. Requests for Assistance at D.E.W. Line Sites.

(Secretary's memorandum, Document ND-478, distributed 6 June, 1969).

V. Atlas of the N.W.T. and Yukon Territory.

(Secretary's memorandum, Document ND-479, distributed 14 May, 1969).

(Note - Secretary's memorandum, Document ND-477, allocated to annual publication - "Government Activities in the North - 1968" which will appear in English and French)

VI. Items of General Interest:

- (a) Progress Report on Committee to Consider Relationship Between Government of Canada and Arctic Institute of North America.

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- (b) Conference on Production and Conservation Problems in Northern Circumpolar Lands, Edmonton, Alberta - October 15, 16 and 17.
- (c) Progress Report - Manhattan Project.
- (d) Symposium on Winter Construction, Edmonton, Alberta - 3-7 February, 1970.
- (e) Establishment of an Eskimo Language School.
- (f) C.C.-7 Hovercraft Trials at Tuktoyaktuk.

VII. Other business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
June 18, 1969.

Deputy Minister of Indian Affairs and Northern Development
 Document disclosed under the Access to Information Act -
 Document divulgué en vertu de la Loi sur l'accès à l'information
 Sous-ministre des Affaires indiennes et du Nord canadien

TO:
 A:

Date 8 Dec 1967

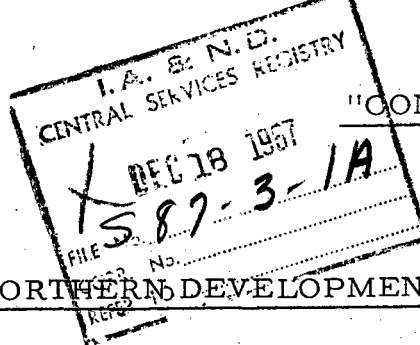
- ☐ Approv
 Approbation
- ☐ Signature
- ☐ Comment
 Commentaires
- ☐ Action
 Donner suite
- ☐ Direct Reply
 Répondre directement
- ☐ Copy for this office
 Copie pour ce bureau
- ☐ Preparation of reply by
 Réponse d'ici
- ☐ May we discuss
 Discussion avec nous
- ☐ As requested
 Selon indications
- ☐ Note
 Note
- ☐ Note and return
 Noter et retourner
- ☐ Note and forward to
 Noter et faire suivre à
- ☐ Information

Unless you have
 any last minute
 changes - I propose
 to send these to
 all members on
 Monday 11 Dec

APPROVED

E. L. L. L.
 DEPUTY MINISTER

000223



"CONFIDENTIAL"

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 71st meeting of the Committee will be held on Monday, Dec. 18, 1967, at 2:30 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

Agenda

- I. Administration of Crown Lands,
(Secretary's memorandum, Document ND-443,
distributed July 21, 1967).
- II. Townsite Development, Anvil Mining Corp.,
(Secretary's memorandum, Document ND-445,
distributed 27 Oct., 1967).
- III. Relations with Eskimos,
(Secretary's memorandum, Document ND-438,
distributed Feb. 17, 1967).
- IV. Interdepartmental Advisory Committee,
Whitehorse, Yukon Territory.
(Secretary's memorandum, Document ND-442,
distributed June 30, 1967).
- V. Haines Road,
(Secretary's memorandum, Document ND-439,
distributed April 14, 1967).
- VI. Northern Sea Route,
(Secretary's memorandum, Document ND-440,
distributed April 17, 1967).
- VII. Government Activities in the North,
(Document, ND-441, distributed September 1967).
- VIII. Plaisted Polar Expedition,
(Secretary's memorandum ND-444,
distributed Sept. 29, 1967).

DEPARTMENT OF
INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
OFFICE OF THE DEPUTY MINISTER

TO: THE MINISTER

DATE July 23/69

FOR APPROVAL:

☐

FOR SIGNATURE:

☐

FOR INFORMATION:

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FOR DIRECTION:

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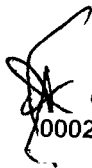
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TO NOTE AND RETURN:

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CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-fourth meeting of the Committee was held on Thursday, June 26, 1969, at 2:30 p.m., in the 14th floor Conference Centennial Tower, 400 Laurier Avenue West

I.A. & N.D.	
CENTRAL SERVICES REGISTRY	
FILE No.	OCT 28 1969
CORR. No.	587-3-1A
REF. TO	

PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development (Chairman)

Mr. B. Bain, representing the Deputy Minister of Finance
Mr. J.A. Beesley, representing the Under-Secretary of State for External Affairs
Mr. R.T.B. Harvey, representing the Secretary to the Cabinet
Supt. A. Huget, representing the Commissioner, Royal Canadian Mounted Police
Dr. N.B. Hutcheon, representing the President, National Research Council
Col. K.W. Macdonald, representing the Chief of the Defence Staff
Mr. D.A. McDougal, representing the Deputy Minister of Transport
Mr. R.J. Ollett, representing the Deputy Minister of Energy, Mines and Resources
Mr. A.M. Pennie, representing the Chairman, Defence Research Board
Dr. H.A. Procter, representing the Deputy Minister of National Health and Welfare
Dr. K. Rasmussen, representing the Deputy Minister of Agriculture
Mr. G.T. Raymer, representing the Secretary of the Treasury Board

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

ALSO PRESENT:

Mr. S.L. Abrahams, Department of External Affairs
Mr. D.A. Davidson, Department of Indian Affairs and Northern Development
Mr. G. Douglas, Department of Indian Affairs and Northern Development

.../2

Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

ALSO PRESENT (Cont'd.)

Mr. R.S. Fillion, Department of Finance
Mr. C.C. Hitsman, Department of Indian Affairs and
Northern Development
Mr. T.A. Harwood, Defence Research Board
Mr. G.H. Johnston, National Research Council
Mr. G.Y. Loughead, Department of National Defence
Mr. J.W. McFarlane, Department of Energy, Mines and
Resources
Mr. R.R. McLeod, Department of Indian Affairs and
Northern Development
Mr. C.L. Merrill, Department of Indian Affairs and
Northern Development
Major W.G. Munroe, Department of National Defence
Mr. A. Stevenson, Department of Indian Affairs and
Northern Development
Mr. E.R. Weick, Department of Indian Affairs and
Northern Development

NOT REPRESENTED:

The Deputy Minister, Department of Public Works
The Chairman, Canadian Section, Permanent Joint Board
on Defence

Advisory Committee on Northern Development
seventy-fourth meeting - Page 3

The Chairman expressed his regrets to the members and departmental representatives but owing to circumstances beyond his control he would have to turn the meeting over to the Secretary.

The Chairman, ad interim, then proposed to discuss Item IV on the agenda.

IV. REQUEST FOR ASSISTANCE AT D.E.W. LINE SITES

(Secretary's memorandum, Document ND-478, distributed 6 June, 1969).

The Chairman, a.i., briefly explained the substance of this Document and asked the representatives from D.N.D. to elaborate.

Mr. G.Y. Loughhead explained that D.N.D. had been forced to bring this matter to the Committee, as the demands now being made on the contractor who operated the D.E.W. sites on behalf of the U.S.A.F. were out of all proportion to any service which could be provided. The contractor had always allowed a certain latitude in dealing with those concerns who made demands. However, there was a limit to what could be done and individuals and companies who seem to expect as a matter of right that facilities should be made available would now have to consider the alternatives. Mr. Loughhead wanted it understood that the conditions which prevailed a few years ago no longer existed. Whereas in the past the casual visitor, or the occasional aircraft, could and did receive services from D.E.W. line sources, the D.E.W. line authorities were under no obligation to do so. The Document circulated quotes the relevant clause of the Canada/U.S. Exchange of Notes. Now the traffic had increased to such proportions, compounded also by the Canadian Transport Commission granting licences to existing airlines to enable them to extend farther north. The irony of this move was a decision made no doubt in good faith by the Canadian Transport Commission, to allow certain carriers to terminate their routes at D.E.W. airstrips. As we know, D.E.W. airstrips are not under Canadian jurisdiction and the question arises whether Canada should consider the action that now needs to be taken not only to bring some of the key airstrips under Canadian jurisdiction but also the measures and thus the infrastructure to provide accommodation, P.O.L. supplies and in certain cases hangar facilities. Federal Electric had always maintained a quantity of Avgas for its own purposes, but new aircraft which may utilize these strips could well be turboprop or even jet and thus Avgas would be supplanted by jet fuel.

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Advisory Committee on Northern Development
twenty-fourth meeting - Page 4

Mr. Loughead went on to point out that many of the carriers demanding services at D.E.W. sites were in fact acting under contract to several Federal departments. Much of the increased tempo in northern activity could be traced directly to Federal policies. Therefore, a satisfactory solution to this problem was of importance not only to private entrepreneurs but to Federal departments. As from July 1st, the Federal Electric Corporation had been awarded the contract to operate the D.E.W. line for a further three years, that is until 30 June, 1972. No one at this time could envisage what would happen beyond this date, but one thing was sure, the need for the airstrips in northern development was obvious. The question is, how and who should be operating them and providing the services required?

Mr. D.A. McDougal pointed out that even if D.O.T. took over some of the airstrips, they were not bound to deal with services such as accommodation, fuel, etc. He recommended an interdepartmental working group to study the problem.

Mr. A.M. Pennie asked whether an interdepartmental group as suggested would be acceptable to the Department of Transport in view of its responsibilities vis-a-vis services.

Mr. McDougal replied that the D.O.T. would welcome an independent approach but suggested the sub-committee should contain both D.O.T. and Canadian Transport Commission representatives.

Mr. Pennie thought that consultation with the carriers should be considered.

Mr. S.L. Abrahams raised the matter of timing and the sub-committee recommendations.

Mr. Loughead believed the sub-committee should address itself to advance planning for 1970 and beyond. The sub-committee should consider the question of D.E.W. support in its broadest context, including all services.

Dr. H.A. Procter indicated that where chartered aircraft were involved in bringing out patients and they were forced to use D.E.W. facilities, there were obvious difficulties and he welcomed a serious attempt to help resolve the problem which often meant stopovers at D.E.W. sites.

The Chairman, a.i., indicated that a further problem was included in Document ND-478, that was the air traffic control problem at Bar 3, Tuktoyaktuk.

visory Committee on Northern Development
seventy-fourth meeting - Page 5

Mr. McDougal explained that the D.O.T. were aware of the situation, and as far as he knew, the air traffic control problem at Tuktoyaktuk had not reached the point where it could meet the D.O.T. criteria which would result in a control tower and traffic control operators.

The Chairman, a.i., in summing up stated that a consensus seemed to exist whereby an "ad hoc" committee be established to study the problems raised in Document ND-478, that the terms of reference should include a study of D.E.W. airstrips and to establish which, in order of priority, should revert to Canadian operation, and what minimum facilities including P.O.L. supplies must be provided to meet the increased volume of traffic and to recommend a reasonable and workable solution to the problems raised in Document ND-478.

The Committee having considered the report recommended that an "ad hoc" sub-committee be established to include a chairman from the Department of Indian Affairs and Northern Development and representation from the Departments of Transport, Energy, Mines and Resources, National Defence, and also to invite, where necessary, representatives from the Department of Telecommunications and the Canadian Transport Commission.

III. FROBISHER BAY CENTRE

(Secretary's memorandum, Document ND-476, distributed 26 March, 1969).

The Chairman, a.i., noted that this Document had been circulated and departments had been invited to advise if additional space was required.

According to present requirements, departments and agencies had indicated their requirements thus:-

I.A.N.D.	9000	square	feet
N.H.&W.	400	"	"
Public Works	400	"	"
Territorial Govt.	400	"	"
R.C.M.P.	760	"	"
N.C.P.C.	560	"	"
Cdn. Nat. Telegraphs	400	"	"
Bell Telephone	2400	"	"

Mr. G. Douglas stated that the Post Office had requested 1500 sq. ft. and that the unallotted space now amounted to 2500 sq. ft.

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 6

The Chairman, a.i., stated that in view of the demands being made 172 family unit accommodation may be insufficient, and additional units may have to be built. He suggested that departments and agencies review their requirements and as the Department of Indian Affairs and Northern Development was the co-ordinating department, all further requests for space and/or family units should be addressed to Mr. Allen of the Technical Services Branch.

Supt. A. Huget thought it likely that the R.C.M.P. would require additional space of a temporary nature pending the construction of a subdivision office to be built in the new development area.

The Committee noted the report and agreed to review its space requirements in Frobisher Bay.

II. REPORT ON THE "AD HOC" COMMITTEE ON NORTHERN CONSTRUCTION

(Secretary's memorandum, Document ND-475, distributed 26 February, 1969).

The Chairman, a.i., noted that the Chairman of the "ad hoc" committee was unavoidably absent. However, departments had had sufficient time to read the report and consider its recommendations.

The Committee noted the report and agreed to the following recommendations:-

- (i) That a new sub-committee on construction be established.
- (ii) That its terms of reference be clearly defined and approved by the A.C.N.D.
- (iii) That a co-ordination committee be established in Montreal under the chairmanship of the Regional Director, D.P.W., Montreal, to co-ordinate federal construction in that region.

The Committee also noted two further recommendations, but decided to postpone agreement pending further discussions with Dr. R.F. Legget as both recommendations involved additional costs and therefore a submission to Treasury Board. No decision could be made as to where the secretariat should be located and which department or agency would absorb the costs of an illustrative annual entitled "Building in the North".

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lvisory Committee on Northern Development
seventy-fourth meeting - Page 7

The Secretary was instructed to discuss these recommendations with the Chairman of the now defunct "ad hoc" committee and report back to the A.C.N.D.

I. MUNRO PARA-POLE EXPEDITION

(Secretary's memorandum, Document ND-474, distributed 14 February, 1969).

The Chairman, a.i., stated that a jump had been accomplished at 150 miles south of the Pole and the expedition considered itself a success.

The Committee noted the report.

V. ATLAS OF THE N.W.T. AND YUKON TERRITORY

(Secretary's memorandum, Document ND-479, distributed 14 May, 1969).

The Chairman, a.i., briefly described this Atlas, a new publication which has been distributed to members, and suggested that additional copies were available. At the same time, the Chairman, a.i., drew attention to a publication in four volumes entitled "Northern Settlements" which had also been distributed. Both publications were excellent reference material.

The Committee noted the report.

VI. ITEMS OF GENERAL INTEREST

(a) Progress Report on Committee to Consider Arctic Institute of North America

(Secretary's memorandum, Document ND-471, presented 73rd meeting A.C.N.D., 19 December, 1968).

The Chairman, a.i., reported that the Committee had had two meetings -- one in Ottawa and one at Montreal -- with the Board of Governors A.I.N.A. The report should be available at the next A.C.N.D. meeting.

(b) Conference on Production and Conservation Problems in Northern Circumpolar Lands

The Chairman, a.i., informed the meeting that the Conference on Production and Conservation Problems in Northern Circumpolar Lands would be held in Edmonton, Alberta, on October 15, 16, and 17.

Advisory Committee on Northern Development
seventy-fourth meeting - Page 8

(c) Manhattan Project

The Chairman, a.i., indicated that the S.S. "Manhattan" should be ready to sail July 15-25. Capt. T. Pullen, RCN (retired), has been appointed to represent Canada on the Manhattan. Among other duties he is charged with ensuring that the laws pertaining to game, harassment by aircraft of polar bears and other mammals, defacement of archaeological sites, etc., are scrupulously observed. He will act as co-ordinator in case of marine disaster, should search and rescue operations become necessary.

Should the probe of the S.S. "Manhattan" prove successful the oil company concerned has indicated that to move 500,000 barrels of crude oil per day it would take 13 tankers of 250,000 tons dead weight each making 9 voyages of 37 days.

(d) Symposium on Winter Construction

The Chairman, a.i., informed the meeting of a Symposium on Winter Construction, to be held in Edmonton, Alberta, on February 3-7, 1970.

(e) Establishment of an Eskimo Language School

The Chairman, a.i., informed the meeting of a proposal to establish an Eskimo Language School. The student body primarily will be composed of Area Administrators, teachers and Development Officers, presently employed in the Arctic and Mackenzie District. At a later date, invitations will be extended to other departments and the Territorial Government to participate.

(f) C.C.-7 Hovercraft Trials, Tuktoyaktuk

The Chairman, a.i., gave the following report.

"The C.C.-7, an amphibious air cushion vehicle capable of carrying ten persons, or up to 3000 lbs. of freight, will be in the Mackenzie Delta area July 28 - August 6, 1969. The craft is in Canada for the period May 14 - August 19, for trials and demonstrations, sponsored by the manufacturer, Britten-Norman of the Isle of Wight, the British Ministry of Technology and the Canadian Department of Transport. A number of government and other agencies will have the op-

Advisory Committee on Northern Development
seventy-fourth meeting - Page 9

portunity to observe the C.C.-7 carry out a series of tasks. The Canadian itinerary includes operation at Montreal, the Lower St. Lawrence, Ottawa, the Upper St. Lawrence, the Mackenzie Delta and the West Coast of Vancouver. Wherever possible, the craft will undertake real or simulated work assignments.

In the Mackenzie the craft will be used in support of surveys conducted by the Polar Continental Shelf Project of E.M.&R., near Tuktoyaktuk. The Canadian Petroleum Association, and I.A.N.D., have suggested tasks or exercises to evaluate the comparative effect on tundra, of traffic by the C.C.-7 and other available vehicles. An evaluation of the practicality of operating over relatively flat coastal terrain, without a prepared roadway, and navigation problems involved, may be attempted. Demonstrations will be held at Inuvik where representatives of companies engaged in oil exploration will be present.

The C.C.-7 program in Canada is co-ordinated by Hoverwork of Canada Ltd., Ottawa."

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
July 21, 1969.

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CONFIDENTIAL

(15) (16) (17)
ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

ADDENDUM TO:

Minutes of the seventy-fourth meeting of the
Committee held on Thursday, June 26, 1969,
at 2:30 p.m., in the 14th floor Conference
Room, Centennial Tower, 400 Laurier Avenue
West.

SAHC 21, 1968
587-3-1A
8163
CORR. No.
REFER. TO: D.M.

I. Page 3, Item IV - Request for Assistance at
D.E.W. Line Sites

Final paragraph to be added on page 5.

Mr. Loughhead indicated that the Department of National
Defence would undertake to keep External Affairs in-
formed of any aspects of the discussions which may be
of interest to them and in particular anything which
affects the status of the agreements between Canada
and the U.S.A.

II. Page 7, Item VI - Items of General Interest
(c) - "Manhattan" Project

Final paragraph to be added under (c) on page 8.

Mr. Beesley reported that as directed by the PM studies
were underway in External Affairs and in a number of
other departments on the pros and cons and legal basis
of the claim by Canada to the waters of the Arctic
archipelago as internal waters. The Interdepartmental
Committee on Territorial Waters had given consideration
to various aspects of the Manhattan project, and was
satisfied that it would not jeopardize Canada's claim.
The line being taken was that the project did not raise
any issue as to the status of the waters as it was a
joint venture in which Canada and the USA were co-
operating. This was the position outlined by the PM
in the House and subsequently incorporated into an
aide-memoire handed to the USA. Nonetheless it was
recognized that the project gives clear evidence that
it will be necessary for Canada to resolve the dispute
over the Arctic waters before regular traffic through
the North West Passage becomes a fact. This problem
was the main subject of the studies underway. Considera-

Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

tion was being given, for example, to the possibility of Canada claiming a 12-mile territorial sea (without abandoning the internal waters claim) which would have the effect of making a part of the North West Passage Canadian territorial waters, and would provide Canada with the necessary security (and oil pollution) jurisdiction and control. This possibility would be discussed in the near future for the second time by the Interdepartmental Committee on Territorial Waters.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
August 20, 1969.

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16/11/69
BR

L.A.C.O. N.D.	
CENTRAL SERVICES REGISTRY	
OCT 29 1969	
FILE No.	387-3-1A
CORR. No.	
REFER. TO	

Ottawa 4, October 7, 1969.

Mr. John H. Parker,
Deputy Commissioner,
Government of the Northwest
Territories,
Yellowknife, N.W.T.

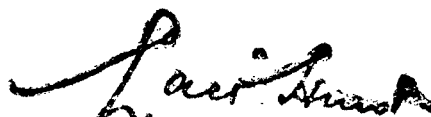
Dear John:

Thank you for your letter of October 2, 1969, concerning
a date for the next meeting of the Northern Planning
and Co-ordinating Committee.

I see you have heard about my trip to the Antarctic. The
dates will be from November 24th to December 19th. I
would very much like to come to your Co-ordinating Committee -
there are some new developments which I would like to discuss -
but it would now mean that you would have to schedule this
probably early in the new year, if you want my presence.

With best wishes,

Yours sincerely,



L.A.C.O. Hunt,
Secretary,
Advisory Committee on
Northern Development.

Hunt/cbr

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

MEM

NDUM

W.H.
MR. A.D. HUNT

DATE July 23/69

With the compliments of the Secretary.

P.A.

K. S. L.
SECRETARY 000238

CONFIDENTIAL
N.A. & N.D.
CENTRAL SERVICES REGISTRY
SEP 10 1969
File No. 587-3-1A
Serial No.
RHR 10

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-fourth meeting of the Committee was held on Thursday, June 26, 1969, at 2:30 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.

PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development (Chairman)

Mr. B. Bain, representing the Deputy Minister of Finance
Mr. J.A. Beesley, representing the Under-Secretary of State for External Affairs
Mr. R.T.B. Harvey, representing the Secretary to the Cabinet
Supt. A. Huget, representing the Commissioner, Royal Canadian Mounted Police
Dr. N.B. Hutcheon, representing the President, National Research Council
Col. K.W. Macdonald, representing the Chief of the Defence Staff
Mr. D.A. McDougal, representing the Deputy Minister of Transport
Mr. R.J. Ollett, representing the Deputy Minister of Energy, Mines and Resources
Mr. A.M. Pennie, representing the Chairman, Defence Research Board
Dr. H.A. Procter, representing the Deputy Minister of National Health and Welfare
Dr. K. Rasmussen, representing the Deputy Minister of Agriculture
Mr. G.T. Raymer, representing the Secretary of the Treasury Board

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

ALSO PRESENT:

Mr. S.L. Abrahams, Department of External Affairs
Mr. D.A. Davidson, Department of Indian Affairs and Northern Development
Mr. G. Douglas, Department of Indian Affairs and Northern Development

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

ALSO PRESENT (Cont'd.)

Mr. R.S. Fillion, Department of Finance
Mr. C.C. Hitsman, Department of Indian Affairs and
Northern Development
Mr. T.A. Harwood, Defence Research Board
Mr. G.H. Johnston, National Research Council
Mr. G.Y. Loughhead, Department of National Defence
Mr. J.W. McFarlane, Department of Energy, Mines and
Resources
Mr. R.R. McLeod, Department of Indian Affairs and
Northern Development
Mr. C.L. Merrill, Department of Indian Affairs and
Northern Development
Major W.G. Munroe, Department of National Defence
Mr. A. Stevenson, Department of Indian Affairs and
Northern Development
Mr. E.R. Weick, Department of Indian Affairs and
Northern Development

NOT REPRESENTED:

The Deputy Minister, Department of Public Works
The Chairman, Canadian Section, Permanent Joint Board
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Advisory Committee on Northern Development
seventy-fourth meeting - Page 3

The Chairman expressed his regrets to the members and departmental representatives but owing to circumstances beyond his control he would have to turn the meeting over to the Secretary.

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Mr. G.Y. Loughhead explained that D.N.D. had been forced to bring this matter to the Committee, as the demands now being made on the contractor who operated the D.E.W. sites on behalf of the U.S.A.F. were out of all proportion to any service which could be provided. The contractor had always allowed a certain latitude in dealing with those concerns who made demands. However, there was a limit to what could be done and individuals and companies who seem to expect as a matter of right that facilities should be made available would now have to consider the alternatives. Mr. Loughhead wanted it understood that the conditions which prevailed a few years ago no longer existed. Whereas in the past the casual visitor, or the occasional aircraft, could and did receive services from D.E.W. line sources, the D.E.W. line authorities were under no obligation to do so. The Document circulated quotes the relevant clause of the Canada/U.S. Exchange of Notes. Now the traffic had increased to such proportions, compounded also by the Canadian Transport Commission granting licences to existing airlines to enable them to extend farther north. The irony of this move was a decision made no doubt in good faith by the Canadian Transport Commission, to allow certain carriers to terminate their routes at D.E.W. airstrips. As we know, D.E.W. airstrips are not under Canadian jurisdiction and the question arises whether Canada should consider the action that now needs to be taken not only to bring some of the key airstrips under Canadian jurisdiction but also the measures and thus the infrastructure to provide accommodation, P.O.L. supplies and in certain cases hangar facilities. Federal Electric had always maintained a quantity of Avgas for its own purposes, but new aircraft which may utilize these strips could well be turboprop or even jet and thus Avgas would be supplanted by jet fuel.

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Advisory Committee on Northern Development
Twenty-fourth meeting - Page 4

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Mr. Loughhead believed the sub-committee should address itself to advance planning for 1970 and beyond. The sub-committee should consider the question of D.E.W. support in its broadest context, including all services.

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isory Committee on Northern Development
seventy-fourth meeting - Page 5

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.../6

visory Committee on Northern Development
seventy-fourth meeting - Page 6

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The Committee noted the report and agreed to the following recommendations:-

- (i) That a new sub-committee on construction be established.
- (ii) That its terms of reference be clearly defined and approved by the A.C.N.D.
- (iii) That a co-ordination committee be established in Montreal under the chairmanship of the Regional Director, D.P.W., Montreal, to co-ordinate federal construction in that region.

The Committee also noted two further recommendations, but decided to postpone agreement pending further discussions with Dr. R.F. Legget as both recommendations involved additional costs and therefore a submission to Treasury Board. No decision could be made as to where the secretariat should be located and which department or agency would absorb the costs of an illustrative annual entitled "Building in the North".

.../7

visory Committee on Northern Development
seventy-fourth meeting - Page 7

The Secretary was instructed to discuss these recommendations with the Chairman of the now defunct "ad hoc" committee and report back to the A.C.N.D.

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(Secretary's memorandum, Document ND-474, distributed 14 February, 1969).

The Chairman, a.i., stated that a jump had been accomplished at 150 miles south of the Pole and the expedition considered itself a success.

The Committee noted the report.

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(Secretary's memorandum, Document ND-479, distributed 14 May, 1969).

The Chairman, a.i., briefly described this Atlas, a new publication which has been distributed to members, and suggested that additional copies were available. At the same time, the Chairman, a.i., drew attention to a publication in four volumes entitled "Northern Settlements" which had also been distributed. Both publications were excellent reference material.

The Committee noted the report.

VI. ITEMS OF GENERAL INTEREST

(a) Progress Report on Committee to Consider Arctic Institute of North America

(Secretary's memorandum, Document ND-471, presented 73rd meeting A.C.N.D., 19 December, 1968).

The Chairman, a.i., reported that the Committee had had two meetings -- one in Ottawa and one at Montreal -- with the Board of Governors A.I.N.A. The report should be available at the next A.C.N.D. meeting.

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The Chairman, a.i., informed the meeting that the Conference on Production and Conservation Problems in Northern Circumpolar Lands would be held in Edmonton, Alberta, on October 15, 16, and 17.

Isory Committee on Northern Development
seventy-fourth meeting - Page 8

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Should the probe of the S.S. "Manhattan" prove successful the oil company concerned has indicated that to move 500,000 barrels of crude oil per day it would take 13 tankers of 250,000 tons dead weight each making 9 voyages of 37 days.

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The Chairman, a.i., informed the meeting of a proposal to establish an Eskimo Language School. The student body primarily will be composed of Area Administrators, teachers and Development Officers, presently employed in the Arctic and Mackenzie District. At a later date, invitations will be extended to other departments and the Territorial Government to participate.

(f) C.C.-7 Hovercraft Trials, Tuktoyaktuk

The Chairman, a.i., gave the following report.

"The C.C.-7, an amphibious air cushion vehicle capable of carrying ten persons, or up to 3000 lbs. of freight, will be in the Mackenzie Delta area July 28 - August 6, 1969. The craft is in Canada for the period May 14 - August 19, for trials and demonstrations, sponsored by the manufacturer, Britten-Norman of the Isle of Wight, the British Ministry of Technology and the Canadian Department of Transport. A number of government and other agencies will have the op-

Advisory Committee on Northern Development
seventy-fourth meeting - Page 9

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In the Mackenzie the craft will be used in support of surveys conducted by the Polar Continental Shelf Project of E.M.&R., near Tuktoyaktuk. The Canadian Petroleum Association, and I.A.N.D., have suggested tasks or exercises to evaluate the comparative effect on tundra, of traffic by the C.C.-7 and other available vehicles. An evaluation of the practicality of operating over relatively flat coastal terrain, without a prepared roadway, and navigation problems involved, may be attempted. Demonstrations will be held at Inuvik where representatives of companies engaged in oil exploration will be present.

The C.C.-7 program in Canada is co-ordinated by Hoverwork of Canada Ltd., Ottawa."

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
July 21, 1969.



DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
MINISTÈRE DES AFFAIRES INDiennes ET DU NORD CANADIEN

TEMPORARY FILE SLIP

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BRANCH - DIRECTION		DEPARTMENTAL ADMINISTRATION RECORDS MANAGEMENT CENTRE			FILE NO. - DOSSIER N°		
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000248

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

ADDENDUM TO:

Minutes of the seventy-fourth meeting of the
Committee held on Thursday, June 26, 1969,
at 2:30 p.m., in the 14th floor Conference
Room, Centennial Tower, 400 Laurier Avenue
West.

I. A. & N. D.	
CENTRAL SERVICES REGISTRY	
X AUG 25 1969	
S87-3-1A	
FILE No.	
CORR. No.	
REFER. TO	

I. Page 3, Item IV - Request for Assistance at
D.E.W. Line Sites

Final paragraph to be added on page 5.

Mr. Loughhead indicated that the Department of National
Defence would undertake to keep External Affairs in-
formed of any aspects of the discussions which may be
of interest to them and in particular anything which
affects the status of the agreements between Canada
and the U.S.A.

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(c) - "Manhattan" Project

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were underway in External Affairs and in a number of
other departments on the pros and cons and legal basis
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Committee on Territorial Waters had given consideration
to various aspects of the Manhattan project, and was
satisfied that it would not jeopardize Canada's claim.
The line being taken was that the project did not raise
any issue as to the status of the waters as it was a
joint venture in which Canada and the USA were co-
operating. This was the position outlined by the PM
in the House and subsequently incorporated into an
aide-memoire handed to the USA. Nonetheless it was
recognized that the project gives clear evidence that
it will be necessary for Canada to resolve the dispute
over the Arctic waters before regular traffic through
the North West Passage becomes a fact. This problem
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.../2

Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

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L.A.C.O. Hunt,
Secretary.

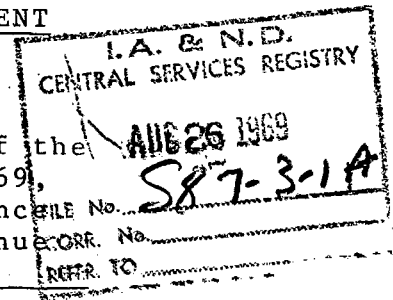
Department of Indian Affairs
and Northern Development.
August 20, 1969.

→ Mr. MacDonald in return for
copy sent to minister
CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

ADDENDUM TO:

Minutes of the seventy-fourth meeting of the Committee held on Thursday, June 26, 1969, at 2:30 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.



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Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

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L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
August 20, 1969. X

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

MEMO IDUM DEPUTY MINISTER DATE July 23/69

P.A.

With the compliments of the Secretary.


SECRETARY 000253

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I.A. & N.D.
CENTRAL SERVICES REGISTRY

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-fourth meeting of the Committee was held on Thursday, June 26, 1969, at 2:30 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.

JUL 24 1969
587-3-1A
FILE NO.
CORR. No.
REFER. TO

PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development (Chairman)

Mr. B. Bain, representing the Deputy Minister of Finance
Mr. J.A. Beesley, representing the Under-Secretary of State for External Affairs
Mr. R.T.B. Harvey, representing the Secretary to the Cabinet
Supt. A. Huget, representing the Commissioner, Royal Canadian Mounted Police
Dr. N.B. Hutcheon, representing the President, National Research Council
Col. K.W. Macdonald, representing the Chief of the Defence Staff
Mr. D.A. McDougal, representing the Deputy Minister of Transport
Mr. R.J. Ollett, representing the Deputy Minister of Energy, Mines and Resources
Mr. A.M. Pennie, representing the Chairman, Defence Research Board
Dr. H.A. Procter, representing the Deputy Minister of National Health and Welfare
Dr. K. Rasmussen, representing the Deputy Minister of Agriculture
Mr. G.T. Raymer, representing the Secretary of the Treasury Board

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

ALSO PRESENT:

Mr. S.L. Abrahams, Department of External Affairs
Mr. D.A. Davidson, Department of Indian Affairs and Northern Development
Mr. G. Douglas, Department of Indian Affairs and Northern Development

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 2

ALSO PRESENT (Cont'd.)

Mr. R.S. Fillion, Department of Finance
Mr. C.C. Hitsman, Department of Indian Affairs and
Northern Development
Mr. T.A. Harwood, Defence Research Board
Mr. G.H. Johnston, National Research Council
Mr. G.Y. Loughhead, Department of National Defence
Mr. J.W. McFarlane, Department of Energy, Mines and
Resources
Mr. R.R. McLeod, Department of Indian Affairs and
Northern Development
Mr. C.L. Merrill, Department of Indian Affairs and
Northern Development
Major W.G. Munroe, Department of National Defence
Mr. A. Stevenson, Department of Indian Affairs and
Northern Development
Mr. E.R. Weick, Department of Indian Affairs and
Northern Development

NOT REPRESENTED:

The Deputy Minister, Department of Public Works
The Chairman, Canadian Section, Permanent Joint Board
on Defence

Advisory Committee on Northern Development
seventy-fourth meeting - Page 3

The Chairman expressed his regrets to the members and departmental representatives but owing to circumstances beyond his control he would have to turn the meeting over to the Secretary.

The Chairman, ad interim, then proposed to discuss Item IV on the agenda.

IV. REQUEST FOR ASSISTANCE AT D.E.W. LINE SITES

(Secretary's memorandum, Document ND-478, distributed 6 June, 1969).

The Chairman, a.i., briefly explained the substance of this Document and asked the representatives from D.N.D. to elaborate.

Mr. G.Y. Loughhead explained that D.N.D. had been forced to bring this matter to the Committee, as the demands now being made on the contractor who operated the D.E.W. sites on behalf of the U.S.A.F. were out of all proportion to any service which could be provided. The contractor had always allowed a certain latitude in dealing with those concerns who made demands. However, there was a limit to what could be done and individuals and companies who seem to expect as a matter of right that facilities should be made available would now have to consider the alternatives. Mr. Loughhead wanted it understood that the conditions which prevailed a few years ago no longer existed. Whereas in the past the casual visitor, or the occasional aircraft, could and did receive services from D.E.W. line sources, the D.E.W. line authorities were under no obligation to do so. The Document circulated quotes the relevant clause of the Canada/U.S. Exchange of Notes. Now the traffic had increased to such proportions, compounded also by the Canadian Transport Commission granting licences to existing airlines to enable them to extend farther north. The irony of this move was a decision made no doubt in good faith by the Canadian Transport Commission, to allow certain carriers to terminate their routes at D.E.W. airstrips. As we know, D.E.W. airstrips are not under Canadian jurisdiction and the question arises whether Canada should consider the action that now needs to be taken not only to bring some of the key airstrips under Canadian jurisdiction but also the measures and thus the infrastructure to provide accommodation, P.O.L. supplies and in certain cases hangar facilities. Federal Electric had always maintained a quantity of Avgas for its own purposes, but new aircraft which may utilize these strips could well be turboprop or even jet and thus Avgas would be supplanted by jet fuel.

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visory Committee on Northern Development
Twenty-fourth meeting - Page 4

Mr. Loughhead went on to point out that many of the carriers demanding services at D.E.W. sites were in fact acting under contract to several Federal departments. Much of the increased tempo in northern activity could be traced directly to Federal policies. Therefore, a satisfactory solution to this problem was of importance not only to private entrepreneurs but to Federal departments. As from July 1st, the Federal Electric Corporation had been awarded the contract to operate the D.E.W. line for a further three years, that is until 30 June, 1972. No one at this time could envisage what would happen beyond this date, but one thing was sure, the need for the airstrips in northern development was obvious. The question is, how and who should be operating them and providing the services required?

✓ Mr. D.A. McDougal pointed out that even if D.O.T. took over some of the airstrips, they were not bound to deal with services such as accommodation, fuel, etc. He recommended an interdepartmental working group to study the problem.

Mr. A.M. Pennie asked whether an interdepartmental group as suggested would be acceptable to the Department of Transport in view of its responsibilities vis-a-vis services.

Mr. McDougal replied that the D.O.T. would welcome an independent approach but suggested the sub-committee should contain both D.O.T. and Canadian Transport Commission representatives.

Mr. Pennie thought that consultation with the carriers should be considered.

Mr. S.L. Abrahams raised the matter of timing and the sub-committee recommendations.

Mr. Loughhead believed the sub-committee should address itself to advance planning for 1970 and beyond. The sub-committee should consider the question of D.E.W. support in its broadest context, including all services.

Dr. H.A. Procter indicated that where chartered aircraft were involved in bringing out patients and they were forced to use D.E.W. facilities, there were obvious difficulties and he welcomed a serious attempt to help resolve the problem which often meant stopovers at D.E.W. sites.

The Chairman, a.i., indicated that a further problem was included in Document ND-478, that was the air traffic control problem at Bar 3, Tuktoyaktuk.

isory Committee on Northern Development
seventy-fourth meeting - Page 5

Mr. McDougal explained that the D.O.T. were aware of the situation, and as far as he knew, the air traffic control problem at Tuktoyaktuk had not reached the point where it could meet the D.O.T. criteria which would result in a control tower and traffic control operators.

The Chairman, a.i., in summing up stated that a consensus seemed to exist whereby an "ad hoc" committee be established to study the problems raised in Document ND-478, that the terms of reference should include a study of D.E.W. airstrips and to establish which, in order of priority, should revert to Canadian operation, and what minimum facilities including P.O.L. supplies must be provided to meet the increased volume of traffic and to recommend a reasonable and workable solution to the problems raised in Document ND-478.

The Committee having considered the report recommended that an "ad hoc" sub-committee be established to include a chairman from the Department of Indian Affairs and Northern Development and representation from the Departments of Transport, Energy, Mines and Resources, National Defence, and also to invite, where necessary, representatives from the Department of Telecommunications and the Canadian Transport Commission.

III. FROBISHER BAY CENTRE

(Secretary's memorandum, Document ND-476, distributed 26 March, 1969).

The Chairman, a.i., noted that this Document had been circulated and departments had been invited to advise if additional space was required.

According to present requirements, departments and agencies had indicated their requirements thus:-

I.A.N.D.	9000	square	feet
N.H.&W.	400	"	"
Public Works	400	"	"
Territorial Govt.	400	"	"
R.C.M.P.	760	"	"
N.C.P.C.	560	"	"
Cdn. Nat. Telegraphs	400	"	"
Bell Telephone	2400	"	"

Mr. G. Douglas stated that the Post Office had requested 1500 sq. ft. and that the unallotted space now amounted to 2500 sq. ft.

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visory Committee on Northern Development
seventy-fourth meeting - Page 6

The Chairman, a.i., stated that in view of the demands being made 172 family unit accommodation may be insufficient, and additional units may have to be built. He suggested that departments and agencies review their requirements and as the Department of Indian Affairs and Northern Development was the co-ordinating department, all further requests for space and/or family units should be addressed to Mr. Allen of the Technical Services Branch.

Supt. A. Huget thought it likely that the R.C.M.P. would require additional space of a temporary nature pending the construction of a subdivision office to be built in the new development area.

The Committee noted the report and agreed to review its space requirements in Frobisher Bay.

II. REPORT ON THE "AD HOC" COMMITTEE ON NORTHERN CONSTRUCTION

(Secretary's memorandum, Document ND-475, distributed 26 February, 1969).

The Chairman, a.i., noted that the Chairman of the "ad hoc" committee was unavoidably absent. However, departments had had sufficient time to read the report and consider its recommendations.

The Committee noted the report and agreed to the following recommendations:-

- (i) That a new sub-committee on construction be established.
- (ii) That its terms of reference be clearly defined and approved by the A.C.N.D.
- (iii) That a co-ordination committee be established in Montreal under the chairmanship of the Regional Director, D.P.W., Montreal, to co-ordinate federal construction in that region.

The Committee also noted two further recommendations, but decided to postpone agreement pending further discussions with Dr. R.F. Legget as both recommendations involved additional costs and therefore a submission to Treasury Board. No decision could be made as to where the secretariat should be located and which department or agency would absorb the costs of an illustrative annual entitled "Building in the North".

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 7

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 8

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Advisory Committee on Northern Development
seventy-fourth meeting - Page 9

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The C.C.-7 program in Canada is co-ordinated by Hoverwork of Canada Ltd., Ottawa."

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
July 21, 1969.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

MEMO

NDUM MR. J.A. MacDonald DATE Jan. 22/69.....

With the Secretary's compliments.



SECRETARY 000263

P.A.

CONFIDENTIAL

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-third meeting of the Committee was held on Thursday, December 19, 1968, at 2:30 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.

1. A. C. N. D.
CENTRAL
JAN 28
FILE NO. 87-3-1A
CORR. NO.
REFER. TO

PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development (Chairman)
Dr. C.M. Isbister, Deputy Minister of Energy, Mines and Resources
Mr. G.A. Scott, A/Deputy Minister, Department of Transport
Dr. R.D. Howland, Chairman, National Energy Board
Mr. W.M. Gilchrist, President, Northern Transportation Co. Ltd.

Mr. W.R. Binks, representing the Deputy Minister of Public Works
Commodore F.B. Caldwell, representing the Chief of the Defence Staff
Mr. M.J. Colpitts, representing the Deputy Minister of Industry, Trade and Commerce
Mr. S.A. Gitterman, representing the President, Central Mortgage and Housing Corporation
Dr. N.B. Hutcheon, representing the President, National Research Council
Mr. J.G. Hutchison, representing the Deputy Minister of Fisheries
Mr. J.L. Fry, representing the Secretary, Treasury Board
Mr. A.M. Pennie, representing the Chairman, Defence Research Board
Dr. K. Rasmussen, representing the Deputy Minister of Agriculture
Mr. D.H.W. Kirkwood, representing the Under-Secretary of State for External Affairs
Mr. G. Taylor, representing the Deputy Minister of Finance
Mr. D.J. Reynolds, representing the Canadian Transport Commission
C/Supt. J.L. Vachon, representing the Commission, Royal Canadian Mounted Police

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development (Secretary)

.../2

Advisory Committee on Northern Development
seventy-third meeting - Page 2

ALSO PRESENT:

Mr. J.B. Bergevin, Department of Indian Affairs and Northern Development
Miss M. Dunbar, Defence Research Board
Lt. Col. R.E. Cross, Department of National Defence
Mr. J.H. Gordon, Department of Indian Affairs and Northern Development
Mr. A.D. Hunt, Department of Indian Affairs and Northern Development
Mr. L.H.J. Legault, Department of External Affairs
Mr. T.A. Harwood, Defence Research Board
Col. R.E. Hogarth, Department of National Defence
Mr. J. Jenkins, National Energy Board
Mr. D.A. McDougal, Department of Transport
Dr. E.F. Roots, Department of Energy, Mines and Resources
Mr. C.L. Merrill, Department of Indian Affairs and Northern Development
Mr. W.D. Mills, Department of Indian Affairs and Northern Development
Mr. A.H.G. Storrs, Department of Transport
Mr. L.J. Villeneuve, Department of External Affairs
Dr. H. Woodward, Department of Indian Affairs and Northern Development
Dr. T. Wise, Department of Indian Affairs and Northern Development
Mr. A.B. Yates, Department of Indian Affairs and Northern Development

NOT REPRESENTED:

The Deputy Minister, Department of National Health and Welfare
The Chairman, Canadian Section, Permanent Joint Board on Defence
The Secretary to the Cabinet

Advisory Committee on Northern Development
seventy-third meeting - Page 3

The Chairman proposed to commence the proceedings with Item VIII on the agenda. Agreed.

I. THE DEVELOPMENT OF POTENTIAL OIL RESERVES IN THE
ARCTIC AND CANADA'S INVOLVEMENT THROUGH THE NORTHWEST
PASSAGE AND CANADIAN SOVEREIGNTY OVER ARCTIC WATERS

(Secretary's memoranda, Documents ND-469 and 470, distributed December 10, 1968).

The Chairman reviewed the background material and suggested that the most likely means of moving arctic oil to southern markets would be by pipeline, but this did not rule out other methods including the transportation by oil tanker through the Northwest Passage. The use of very large tankers could substantially change the whole navigation pattern in the Arctic. Either method would have important implications for Canada. A pipeline would have significance in serving other oil producing areas which might be discovered and the huge Arctic area now under active exploration lends weight to the arguments in favour of pipelines. The development of a navigable northern sea route would benefit the Canadian economy and be a spur to northern development. The impact of the discovery of oil at Prudhoe Bay in Alaska pointed the need for hydrographic and other support services in the Arctic, and if Canada does not undertake these measures it is likely that others will. The Chairman then stated that the Cabinet had approved the formation of a co-ordinating committee and an official announcement to this effect would be made shortly. Representation on the committee would include Dr. C.S. Isbister, Deputy Minister of Energy, Mines and Resources, as chairman, Dr. R.D. Howland, Chairman of the National Energy Board and Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development, as members. Thus the position paper drawn up by the Secretary, ND-470, while it outlines the general picture has been caught up by events and therefore its recommendations have become inappropriate. The co-ordinating committee authorized by Cabinet will undertake the co-ordination of those departments represented and would, where required, call upon other departments.

Mr. G.A. Scott said the Department of Transport had responsibilities in the area and would be involved in accelerated or new programs. The immediate concern was the marine aspects on which Mr. Storrs would report.

Mr. A.H.G. Storrs said there was much interest in D.O.T. in the possibility of large tankers operating in northern waters and ice. The Department of Transport had no disagreement with the premise that a large tanker might operate effectively in the north. The icebreakers operated by D.O.T. were not suitable to support the very large tankers and such a probe might have to be made without icebreaker support. The

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question of the feasibility of operating ships in the arctic in winter had not yet been determined. Observations on operating conditions were limited to the summer season of relatively open water and even then to the relatively easy routes. This data confirmed the technical feasibility for operation in Amundsen Gulf and Victoria Strait. On other areas, such as the polar pack in the Beaufort Sea, and in Viscount Melville Sound, there was insufficient data to appraise technical feasibility. There was still the question of whether the large ship would be economic when operated in ice.

The first step was to accumulate information to answer questions as to the feasibility of operating ships more widely in the arctic and to indicate the dimensions and nature of the department's involvement.

The accumulation of information was already underway in Transport, with some of the gaps being filled. Air ice reconnaissance may be diverted, in part, from the St. Lawrence region to the arctic. In the event that oil companies proceed with tanker shipments in the arctic, D.O.T. will be required to provide route charts and navigational aids. The navigational aids in use in the arctic today serve only the relatively easy routes that are employed, restricted to the open water period of long daylight hours. A much more sophisticated system of navigational aids would be required to serve an expanded shipping operation in the arctic because new routes would require surveying and marking and the markers would have to be readable by night as well as by day.

There might be a requirement for area support such as icebreaker rescue service for support of large vessels in trouble. This kind of service could be expensive and might be jointly provided by the U.S. and Canada.

Commodore F.B. Caldwell pointed out that D.N.D. was involved in northern planning for defence measures and search and rescue operations, and would have an interest in plans for marine shipping in the north.

Mr. A.M. Pennie said the Defence Research Board was studying ice movements and could participate in technical discussions with the planning groups. Any agencies from the U.S.A. that might become involved in the question of increased shipping in the arctic would be certain to be influenced by defence considerations.

Mr. L.H.J. Legault pointed out that since Canadian sovereignty had not been firmly established in northern waters, it was in Canada's interest to consider the question of measures that might be undertaken to facilitate navigation there.

The Chairman emphasized that sovereignty was an important matter, and for that reason the committee was giving early consideration to the implications of the oil discovery at Prudhoe Bay. There was the question of how

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Canada should treat the suggestion of oil tanker operation in the N.W. Passage. Should it be treated as a premature suggestion, or did Canada have any choice but to proceed with developing information and facilities for increased navigation? The committee consisting of the D.M.'s of E.M.R., I.A.N.D. and the Chairman of the National Energy Board, was responsible for looking into the feasibility of a pipeline. A pipeline built to carry oil from Prudhoe Bay following the Mackenzie route would have special significance to Canada since it would traverse a large area geologically favourable to the occurrence of oil deposits.

Mr. Legault stated that if Canada was to protect its claim to the channels of the Arctic archipelago as Canadian internal waters a token effort by the Canadian Government might not be enough for this purpose. Although undoubtedly sound our claim was not irrefutably established and has not been recognized by the United States. In the circumstances it was necessary for Canada to proceed very carefully. Under international law, the fact that navigation in a particular area of the sea was possible only because of the aids provided by the coastal state was an important element, among others, in establishing and proving that state's claim to sovereignty over the area. Conversely, if a foreign state opened and made use of the sea route without reference to or real assistance from the coastal state, a presumption might arise that the area in question was part of the high seas.

Mr. A.D. Hunt reported that Dr. Van Steenburgh, representing Atlantic Richfield had been in touch with him, and had inquired about the government's plans for surveys in the area. Dr. Van Steenburgh implied that if Canada did not carry out the required surveys the work might be undertaken by the U.S.A.

Mr. Storrs pointed out that in addition to the special attention focussed by the oil potential in northern Alaska and in the Mackenzie Delta, there was a general interest in the Northwest Passage.

Mr. Legault briefly noted that several Memoranda to Cabinet on the law of the sea had been prepared and had been approved by a number of ministers, recommending inter alia that straight base lines not be drawn in contentious areas. He added that some thought was being given at the ministerial level to the possibility of creating exclusive fishing zones in certain areas but that it did not appear that this would affect the position regarding the waters of the Arctic archipelago.

Dr. C.M. Isbister said the east and west coast areas had been discussed at meetings of ministers. The issue regarding northern waters would be raised and departments should be ready with an evaluation and advice. Some ministers had already shown interest in the matter of sovereignty in the arctic.

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The Chairman said the view held in his department was that if commercial development did proceed, Canada should provide such support services as might be required. He invited comment from the representatives from Treasury Board and Finance.

Mr. J.L. Fry pointed out that no special consideration had been given to providing funds for increased activity in the north and that the financial arrangements for any changes in program or new programs in north could only be considered within the context of departmental program funds and the limitations that have been assigned. Treasury Board would be advised of the situation developing as discussed by the committee.

Dr. Isbister noted that over the passage of time there would be more and more cases where countries would redefine the boundaries of inland waters. Besides, there is no certainty that Canada would win if taken to the International Court of Justice. We might have to consider the implications as it affected Canada in this instance by virtue of Article 5 of the Geneva Convention. A good case can be made for the right of innocent passage, in this instance.

The Chairman agreed that clarification was necessary notwithstanding the de facto occupancy of the Arctic. The Chairman then suggested that a consensus was emerging which indicated that Canada had little choice in refusing service or providing the basic infrastructure and that Canadian national interest dictated a Canadian initiative in this whole matter.

The Committee noted the report and took notice of the revised Committee as approved by the Cabinet.

(Secretary's Note - a copy of the terms of reference of the Task Force is attached).

II. The Committee noted the following reports already issued.

- (a) GOVERNMENT ACTIVITIES IN THE NORTH - 1967 - DOCUMENT ND-462
- (b) RESUME OF MEETING BETWEEN REPRESENTATIVES OF THE CANADIAN AND U.S. GOVERNMENTS TO EXCHANGE VIEWS ON ARCTIC TRANSPORTATION - DOCUMENT ND-463
- (c) EXPEDITIONS TO THE POLAR BASIN - DOCUMENT ND-465

The Secretary confirmed that a British expedition to the North Pole headed by Dr. H.W. Simpson, and his wife and explorer Roger Tufft, would be leaving Ellesmere Island late February. The expedition appeared to be well planned and financially sound and came within the guidelines set out by the Committee.

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- (d) GROUND EFFECT MACHINES - DOCUMENT ND-466
- (e) SPECIAL RESEARCH BUREAU (FORMERLY J.I.B. REPORT) - DOCUMENT ND-467
- (f) THE FUTURE OF ALERT - DOCUMENT ND-468

The Secretary reported that the Department of National Defence has reported that the negotiations between them and other departments have reached a point where any conflict of interest has been or is about to be resolved.

- (g) CANADA AND E.C.E. - DOCUMENT ND-472

This document was withdrawn.

- (h) ARCTIC INSTITUTE OF NORTH AMERICA

(Secretary's memorandum, Document ND-471, distributed December 16, 1968).

The Chairman referred to Document ND-471, setting out details of the federal government's support to the Arctic Institute and the need for more co-ordination among the departments and agencies of the federal government regarding support of the Institute and its programs. The Institute was in receipt of a substantial financial support from the federal government and there seemed to be good reason for the contributing departments to consult on the overall federal support of the program. There was some indication that the Institute was "shopping around" for departmental research funds. Dr. Hutchins agreed that the substantial funds provided to the Institute through N.R.C. and I.A.N.D. should be co-ordinated. Miscellaneous studies were supported at a level of \$80,000 by N.R.C., in addition to the basic support grant of \$120,000. N.R.C. would welcome an opportunity to meet with I.A.N.D. and the Arctic Institute to effect greater co-ordination in the grants program.

Mr. Gilchrist mentioned that he was serving as a member of the financial committee for the Arctic Institute of North America and could therefore indicate its financial situation. The Institute was facing real difficulty to the point where its substance was affected. He urged that the Committee meet as quickly as possible to decide what the basic position of the government should be. The Committee should determine, on behalf of the federal government, the purpose served by the Institute and how well served. If the Institute were to remain viable, substantial financial support would have to come from government.

Dr. Isbister said he and his colleagues in Energy, Mines and Resources were sympathetic to the Institute in facing the problem described by Mr. Gilchrist and favoured the suggestion that a committee look into the problem of co-ordinating the government's grant support. It would be useful if the committee could indicate how the funding could be shared by departments.

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Mr. S.A. Gitterman mentioned that the Arctic Institute had applied to C.M.H.C. for funds to support a conference on architectural and town planning for northern communities. The application was under consideration.

Mr. Pennie said Defence Research Board was sympathetic and had supported the work of the Institute, both with funds and in kind, and would expect to participate in the work of the Committee.

It was agreed that a special "ad hoc" committee be established to examine and define the role played by the Arctic Institute of North America as it affected or is of interest to federal departments with responsibilities in the north. The objective would be to determine the desirability and the level of financial support to the Institute by the several federal departments collectively.

The Chairman asked the Secretary, Mr. L.A.C.O. Hunt, to chair the committee on which there should be representation from N.R.C., E.M.R., I.A.N.D., T.B., and D.R.B.

III. ITEMS OF INTEREST

(a) Bertin Terraplane

The Secretary explained that the trials on this machine at L.E.T.E. proving grounds had not produced the desired results and as a result, the sub-committee had recommended no further action on the part of the Government of Canada, pending modifications to the machine which would be the responsibility of the Bertin company.

(b) Progress Report (Panarctic Oil)

Mr. A.D. Hunt gave the following report.

"Panarctic Oils
Summary of 1968 Operations

(1) Establishment of base camps with airstrips at:

- (a) Winter Harbour
- (b) Marie Bay - NW Melville Island
- (c) Sherard Bay - on Sabine Peninsula
- (d) Rea Point - East shore Melville Island

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- (2) Seismic and gravity-metric surveys between March and October
 - about 690 miles of seismic line
 - 1592 gravity stations observed - all on N.W. Melville, Sabine Peninsula and Emerald Isle
- (3) Geological surface mapping June to September
 - On Bathurst Island and Grinnell Peninsula by J.C. Sproule & Associates
- (4) Stockpiling of fuel and drilling supplies on Melville Island
 - (1) Fuel and drilling supplies at Rea Point
 - (2) Fuel at Sherard Bay
 - (3) Fuel at Resolute Bay

Proposed Operations for 1969

- (1) Geological field surface and Gravity Meter Survey
 - Fosheim Peninsula
 - Melville, Cameron and Somerset Islands
- (2) Geophysical Program
 - seismic about 700 miles of line
 - on Ellef Ringnes, Amund Ringnes and Fosheim Peninsula
- (3) Drilling of three wells in 1969
- (4) Rig mobilization
 - the movement of one rig by air from Yellowknife to Melville Island
 - the movement of a second rig from Kirkland Lake to Melville Island
 - the movement of a slim hole rig from Edmonton to Melville Island"

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(c) Fifth National Northern Conference

The Secretary informed the Committee that the Fifth National Northern Conference will be held at the MacDonald Hotel, Edmonton, Wednesday, Thursday and Friday, 4, 5, and 6 November, 1970. The theme of the Conference will be "Oil and Northern Development". The Chairman of the Executive Committee will be Stanley A. Milner.

(d) Air Route Frobisher to Greenland

The Secretary explained that this proposal originates from the Canadian Ambassador to Denmark, who visited Greenland officially last summer. The Ambassador states, "I was told that many people in Greenland, both individual Greenlanders and government officials, would be able to visit northern Canada. Greenlanders are naturally interested in what goes on in northern Canada where their racial and linguistic cousins live. They would like to encourage visits to Greenland of Eskimos and others living in Canada...None of this is possible in the absence of a direct scheduled passenger air service between a place in Greenland (presumably Strømfjord) and the nearest appropriate place in Canada (presumably Frobisher Bay)...Those who spoke to me on this subject fully realized, as I do, that airline companies approach such problems in business terms and that it might not at present be worthwhile... Some of those who spoke to me wondered whether the Canadian government might consider subsidizing such a service in the interests of the development of closer relations between the Canadian north and Greenland."

The Committee noted these reports but decided not to discuss them.

IV. OTHER BUSINESS

EXTENSION OF AIR SERVICES IN THE NORTH

(Secretary's memorandum, Document ND-473, distributed at the meeting).

The Secretary explained that the Department of National Defence had requested this matter to be brought before the committee. Briefly the Canadian Transport Commission had granted (10 October, 1968) to certain carriers licences to operate scheduled services to five D.E.W. sites. Under existing terms of agreement with the U.S.A., clearance is required from U.S.A.F. before commercial carriers can be permitted to use D.E.W. strips. Other arrangements must be made for logistical support.

Commodore Caldwell spoke in support of D.N.D. and requested a consensus from the committee to enable the Terms of Agreement (5 May, 1955) which govern the D.E.W. sites including the airstrips, to be properly observed. The alternative was to turn over to the Department of Transport these airstrips to be managed by them.

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Mr. Scott did not think at this time such arrangements could be made due to staff cutbacks, lack of funds and perhaps the absence of a clear cut policy with respect to the take over of additional airfields in the Arctic.

Dr. Roots explained that two D.E.W. sites - Hall Beach and Tuktoyaktuk - were both subject to increasing non-military traffic and demand for services at these airfields was becoming acute. The Department of Energy, Mines and Resources had a field program in the Beaufort Sea area that would generate air traffic to Tuktoyaktuk for several years, thus placing still more pressure of use on this D.E.W. airfield.

Mr. A.D. Hunt mentioned the increase in oil exploration in this area (Beaufort Sea) and he agreed that air traffic to Tuktoyaktuk will inevitably increase considerably.

Mr. T.A. Harwood said that this problem had existed for some time. The granting of licences recently by the Canadian Transport Commission had finally brought the matter into the open.

The Chairman stated that this discussion had been useful but it appeared it was one which should be resolved between the Department of National Defence and the Canadian Transport Commission. The arguments used at this discussion could lend weight to this dialogue.

The Committee noted the discussion and it was agreed that the Department of National Defence would take the action suggested.

L.A.C.O. Hunt,
Secretary.

Attachment.

Department of Indian Affairs
and Northern Development.
January 22, 1969.

APPENDIX

TASK FORCE ON NORTHERN OIL DEVELOPMENT

TERMS OF REFERENCE

The significant oil discovery early in 1968 at Prudhoe Bay on the Alaskan North Slope, with an indicated 5 to 10 billion barrel reserve, and the subsequent oil industry activity in Alaska and adjacent areas in Canada have major implications for the Canadian oil industry, the oil supply-demand pattern in North America and possibly abroad, and for the overall development of northern Canada. Such far-reaching implications require attention in the context of many aspects of Canadian economic policy including resource development and administration, transportation, market development, and export trade. There are also matters of external relations to consider, including questions of sovereignty in northern waters and negotiations concerning the possibilities of pipeline transportation facilities from Alaska to the northern States via Canada. Furthermore, the considerable involvement at the federal government level will require close attention to studies now underway in industry to assess the feasibility of various proposals for transportation and marketing of northern oil. The federal involvement in northern oil development is further intensified through participation in the Panarctic project.

Because of the importance of current northern oil developments and the widespread national and international ramifications, a meeting of departments and agencies most directly concerned concluded that federal government involvement in appraisal and policy studies is best co-ordinated through a Task Force. Accordingly, a Task Force chaired by the Deputy Minister of Energy, Mines and Resources and including the Chairman of the National Energy Board and the Deputy Minister of the Department of Indian Affairs and Northern Development had been established. The existence of this Task Force, of course, will not interfere with normal liaison between these agencies and industry. The program carried out under the direction of the Task Force will concern itself with the following areas of study:

1. Technical and economic feasibility of a pipeline from Prudhoe Bay eastward to Canadian territory and southward via a Canadian route to U.S. markets, viewed in relation to various transportation possibilities.
2. Technical and economic feasibility of marine transportation of northern oil through a "Northwest Passage".
3. Market possibilities for northern oil: an appraisal of

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possible outlets for Prudhoe Bay oil and oil found in other northern areas of Alaska and Canada, and an assessment of these possibilities in relation to North American oil supply and demand. This study will give attention to the possible impact of northern oil development on Canada's present oil industry.

4. The Canadian Government position relative to transportation and marketing proposals with particular reference to the benefits and costs to the economy at large arising from the several alternatives for northern oil transportation and marketing. This analysis, flowing from the other studies, would constitute the basis for recommendations of the Task Force as to the role of the Canadian Government and as to its negotiating position with the United States Government and with individual companies.

The Task Force program, organized in terms of the studies noted above, will involve participation of the following departments and agencies in one or more of the studies, and also of any other departments and agencies that can contribute information and advice:

Defence Research Board
Energy, Mines and Resources
External Affairs
Finance
Indian Affairs and Northern Development
Industry, Trade and Commerce
National Energy Board
National Research Council
Northern Transportation Company
Transport

Responsibility for the studies of the Task Force program is designated as follows, with the first-named agency in each case carrying the primary responsibility and leadership for that particular study and ensuring involvement during the study of the other agencies named.

1. Pipeline feasibility study - National Energy Board, Indian Affairs and Northern Development, Energy, Mines and Resources, with National Research Council as required for scientific and technical advice.
2. Marine feasibility study - Energy, Mines and Resources, Indian Affairs and Northern Development, National Energy Board, Transport, and Northern Transportation Company.

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3. Market possibilities for northern oil - National Energy Board, Energy, Mines and Resources, Indian Affairs and Northern Development.
4. The Canadian Government position - Energy, Mines and Resources, National Energy Board, Indian Affairs and Northern Development, External Affairs, and Industry, Trade and Commerce.

The Task Force program as a whole will be co-ordinated by the Department of Energy, Mines and Resources.

December 19, 1968

SECRET

DOCUMENT NO-173

RC
D.E.W. SYSTEM
CENTRAL SERVICES REGISTRY
5 OCT 23 1968
FILE No. 87-3-1A
CORR. No.
REFER. TO

MEMORANDUM FOR THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Extension of Air Services in the North

The Canadian Transport Commission met in Yellowknife, N.W.T., on July 10, 1968, and at Frobisher Bay, N.W.T., on July 24, 1968. The Commission conducted public hearings and reviewed the requirements and adequacy of existing and proposed air services. It considered seven specific applications for licences for commercial operations in the area.

As a result of these hearings, a decision was rendered on the 10th October, 1968, and these decisions are contained in a paper issued on that date and numbered Serial 2624.

In brief, the decision approved new air services or extensions of existing air services to five D.E.W. line sites, viz. Hall Beach, Tuktoyaktuk, Lady Franklin Point, Broughton Island and Cape Dyer. The Department of National Defence has brought this matter to the attention of this Committee because of the implications of using D.E.W. line sites, which could involve accommodation, P.O.L. requirements and airport maintenance. D.N.D. has quoted the following paragraph from the Exchange of Notes, 5 May, 1955, Agreement between Canada and United States to Govern Establishment of D.E.W. System in Canadian Territory.

15. USE OF AIRSTRIPS:

Airstrips at installations in the DEW System shall be used by the United States solely for the support of the System. If it should be desired at any time by the United States to use an airstrip for other purposes, requests should be forwarded through appropriate channels. The airstrip shall be available for use by the RCAF as required. The airstrip shall also be available for use by Canadian civil air carriers operating into or through the area, whenever such use would not conflict with military requirements, and subject to the understanding that the US Air Force will not be responsible for the provision of accommodation, fuel, or servicing facilities of any kind. Proposals and arrangements for such use of USAF-operated airstrips by Canadian air carriers shall be submitted to the RCAF which shall consult the USAF before granting any such permission.

It shall be noted that the Government of Canada has designated the Department of National Defence as the agency responsible for certain aspects in the operation of D.E.W. line sites. Under the terms of the Exchange of Notes, the use of USAF-operated airstrips at D.E.W. line sites by Canadian air carriers is

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to be submitted to Canadian Forces authorities for consultation with the USAF before such permission is granted.

It is the opinion of the Department of National Defence that this Committee approve a resolution requesting the Canadian Transport Commission to defer its decisions as outlined in Serial 2624 with respect to commercial air carriers using D.E.W. line airstrips pending consultations to be held with the departments mostly concerned.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
December 17, 1968.

SECRET

DOCUMENT

I.A. & N.D. CENTRAL SERVICE REGISTRY	
FILE NO.	87-3-1-A
CORR. No.	
REF. No.	18

MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Canadian Sovereignty Over Arctic Waters

At the fifty-fourth meeting of the A.C.N.D. held on July 6, 1959, it was reported that the paper prepared for and approved by the Committee on Canadian Sovereignty over Arctic Waters (ND-283) had been circulated to the Ministers of the Cabinet Committee on Territorial Waters. Subsequently a memorandum embodying the recommendations in this paper was submitted to the Cabinet by the Minister of Northern Affairs and National Resources with the concurrence of the Secretary of State for External Affairs. A copy of this memorandum is attached.

The memorandum was considered by the Cabinet on March 8 when additional information was requested on the general legal position on Canadian sovereignty over the Arctic Islands

A further memorandum to the Cabinet "Canadian Sovereignty over the Canadian Arctic Archipelago" was therefore submitted by the Minister of Northern Affairs and National Resources. A copy of this memorandum is also attached. The purpose of reissuing these documents is to enable the members to consider the implications of Document ND-479 concerning the development of the Northwest Passage

L.A.C.O. Hunt,
Secretary.

Attachments.

Department of Indian Affairs
and Northern Development.
December 10, 1968.

s.15(1)

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SECRET

CANADIAN EYES ONLY

February 1, 1960.

MEMORANDUM FOR THE CABINET:

CANADIAN POSITION IN RELATION TO ARCTIC WATERS

The Canadian government has for many years asserted sovereignty over all land lying north of the Canadian mainland and this position has not been disputed by any other nation for many years.

A factor which could have an important bearing in this context is the adoption at the International Conference on the Law of the Sea, held in Geneva in 1958, of Article 4 of the Convention on Territorial Waters which provides that a country may delimit its territorial sea by applying the straight base-line system between appropriate points on the coast where the coast line is deeply indented or cut into, or where there is a fringe of islands along the coast in the immediate vicinity. This system might be applied to the Canadian Arctic Islands, so as to include the waters in the channels between them as Canadian.

The need to clarify the Canadian position with regard to the Polar Basin and the channels of the Canadian Arctic Islands has been greatly increased by recent developments such as the maintenance of scientific stations by both the U.S. and the U.S.S.R. on the ice in the Polar Basin and the advent of nuclear-powered submarine navigation.

The U.S.S.R. has never made any formal claim to the waters and ice of the Arctic Ocean in the sector north of the Russian mainland. Soviet declarations of sovereignty in this sector have referred specifically to lands and islands.

The Advisory Committee on Northern Development has considered

These views are summarized below.

SECRET

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- (b) No substantial economic gain would result since the Geneva Convention on the Continental Shelf provides a satisfactory guarantee that the resources of the continental shelf are reserved for the coastal state.

(c)

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(a)

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(a)

(b)

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(c)

(d)

Conclusion and Recommendations

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3. Actions by Departments:

The Cabinet Committee on Territorial Waters has reviewed the question and concurs in these recommendations.

(sgd.) Alvin Hamilton

Alvin Hamilton,
Minister of Northern Affairs and National Resources.

I concur.

(sgd.) H. C. Green
Secretary of State for External Affairs.

s.15(1)

000283

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

CONFIDENTIAL

June 27, 1960.

MEMORANDUM TO THE CABINET:

CANADIAN SOVEREIGNTY OVER THE ARCTIC ARCHIPELAGO

At a meeting held on March 8, 1960, the Cabinet had for consideration a memorandum concerning [REDACTED]

[REDACTED] Additional information was asked for on, first, the legal basis of Canada's claim to sovereignty over the islands of the Arctic Archipelago themselves and, [REDACTED]

1. The Legal Basis of Canada's Claim to Sovereignty over the Islands of the Arctic Archipelago

[REDACTED] Canada's claim to sovereignty over the islands of the Arctic Archipelago is founded upon the doctrine of effective occupation which is the most generally recognized ground for sovereignty. There are other doctrines or principles which supplement this one but they carry less weight in International Law. They are founded upon discovery - aided by symbolic acts of possession; the sector principle; prescription; and recognition by other nations and acquiescence to Canada's claim. [REDACTED]

(a) Effective Occupation

According to Oppenheim, "occupation is effected through taking possession of and establishing an administration over, the territory in the name of, and for the acquiring state". The key terms are possession and administration. The customary form of administration in polar regions consists of the maintenance of police posts, customs houses, post offices, schools, hospitals, scientific, wireless, and weather stations. In the Canadian Arctic Islands where the climate is severe, it is sufficient that administrative control be exercised only when weather conditions permit travel. It is unnecessary for state authority to be asserted without interruption in all parts of the land all year 'round. In the Eastern Greenland Case of 1931 importance was attributed to such discontinuous acts in the area under dispute as scientific expeditions, inspections by government vessels, the issuance of permits, hunting expeditions, and so forth.

It is generally admitted that it is not necessary to occupy every one of a group of islands provided that from the occupied islands or places order can be maintained in all of the islands. Military or police forces may be used for this purpose. Furthermore, a state may exercise control exceptionally over a polar area from the temperate zone.

Canada's claim to sovereignty, though long asserted, has been called into question only on one instance in the last thirty years and that was by Norway in 1930, over the Sverdrup Islands. That contest was satisfactorily settled with Norway. No notice since then of any other contest or claim has been received. On the contrary, there have been acts of recognition of Canada's title including acquiescence in the requirements for Scientists and Explorers Licences for scientific expeditions to the Canadian Arctic Islands.

Canada fell heir to the rights of Great Britain and began providing for the administration of the Canadian Arctic in the 1860's. By statutes, orders-in-council, and ordinances it has continuously and progressively asserted its administrative authority over the whole of the Arctic territory; and it has likewise since 1904, by the publication of many official maps, depicted the limits of its claims. Apart from this, as indicated in Appendix I, it has supplied the whole area with a complete

framework of laws, and of law making and law enforcing organs and has engaged in detailed acts of administration which have grown tremendously in number and variety since the 1860's.

One leading authority, Gustav Smedal, cites the handling by Canada of its Arctic territories as a good precedent of how to take effective possession of polar regions, and adds that there is no reason to deny Canadian sovereignty over the territories which it has in this way really brought under effective control and jurisdiction.

Altogether, it is clear that Canada's sovereignty over the islands of the Arctic Archipelago has been effectively established and accepted.

(b) Discovery

The views of the authorities on International Law with regard to whether the fact of discovery by itself is a sufficient ground for proprietary right is not clear. Both the Island of Palma Arbitration and the East Greenland Case make it clear on what slight ground title by discovery may be superseded by relatively few acts of settlement and occupation by another state.

(c) The Sector Principle

Most jurists express the view that the so-called sector principle has a weak foundation under International Law. One writer argues that it is "the last survivor of the old hinterland principle as applied to continents and appears to have no stronger basis in International Law than that now discarded theory".

As applied to the Arctic, this principle argues that countries bordering on the Arctic have a valid claim to the territory which is bounded by their northern coasts and lines projected from the extreme eastern and western limits of the coasts to the North Pole. In terms of Canada, Canadian sovereignty would extend to land in the area north of the mainland in the form of a triangle - whose base is the mainland, apex the North Pole and sides respectively the 141° W. and the 60° W. meridians of longitude (excluding Greenland).

The attitude of nations with special interests in the Arctic area with regard to acceptance of this principle is summarized in Appendix II.

(d) Prescription

Prescription as a basis for a claim to territory in International Law is so vague that some writers deny its usefulness altogether. Oppenheim defines it as "the acquisition of sovereignty over a territory through

continuous and undisturbed exercise of sovereignty over it during such period as is necessary to create, under the influence of historical developments, the general conviction that the present condition of things is in conformity with international order."

Canada has for many years exercised sovereignty over the Arctic Archipelago in a continuous and undisturbed manner. As mentioned previously, no foreign states have opposed the Canadian claim since the Sverdrup case by Norway thirty years ago. Apart from this case, the last dispute or disagreement occurred in 1920. In that year, Canada protested to Denmark against the killing of musk-ox on Ellesmere Island by Greenland natives. The Danish Government replied that it considered this island as a No-man's Land but did not repeat this claim after Great Britain recognized Danish sovereignty over Greenland in September, 1920. In 1921, the Canadian Government informed the Government of Denmark that, should the Rasmussen expedition discover islands and lands in the sector between Canada and the North Pole, these would be regarded as belonging to Canada.

Dean Vincent MacDonald (who did a study of our sovereignty ten years ago) states that it is

(e) Recognition of Canada's Title

Nations with special interests in the Arctic, such as Denmark, Norway, the U.S.S.R., and the U.S.A. have recognized Canada's position on a number of occasions of which the following are some examples:

- (1) Denmark and Norway in the cases referred to beforehand.
- (2) The U.S.S.R. in 1945, when permission was requested for Soviet flyers en route to California via the North Pole, to cross Canadian arctic territory.
- (3) The U.S.A. at various times as outlined in the files of the Permanent Joint Board on Defence and the Department of External Affairs, e.g., recent request to the Canadian Government for permission for two U.S. submarines to enter Canadian territorial waters in the Arctic Archipelago.

School text-books and maps published in foreign countries all over the world show the islands of the Canadian Arctic Archipelago as belonging to Canada. Furthermore, there have been numerous occasions when foreign newspapers, international conferences and so forth have referred to these islands as being part of Canada.

2. Claims made by Canada to Sovereignty over the Islands of the Arctic Archipelago

As the following examples show, by statutes, orders-in-council, ordinances, and statements made by Cabinet ministers, Canada has for years asserted its claim to sovereignty over all of the Arctic Islands:

- (1) The Ruperts Land Act of 1869 as amended by the Imperial Order-in-Council of 1880 to incorporate "...all British territories and possessions of North America not already included within the Dominion of Canada and all islands adjacent to any such territories or possessions."
- (2) The orders-in-council establishing the District of Franklin of 1895 and 1897 in which the district is defined as comprising

"Melville and Boothia peninsulas, Baffin, North Devon, Ellesmere, Grant, North Somerset, Prince of Wales, Victoria, Wollaston, Prince Albert and Banksland, Parry Island, and all those lands and islands comprised between the 141st meridian of longitude west of Greenwich on the west, and Davis Strait, Devon Bay, Smith Sound, Kennedy Channel, and Robeson Channel on the east, which are not included in any other provisional district."

- (3) The establishment of the Arctic Islands Game Preserve in 1926 and the publication of its boundaries as set forth in Schedule "A" of the Northwest Territories Game Ordinance (see Appendix III).
- (4) Statements made by Cabinet ministers on various occasions such as:

New York Times, June 12, 1925

"...Canada's claim to the northern archipelago was again asserted in the House of Commons today by Hon. Charles Stewart, Minister of the Interior. Tabling a large map, Mr. Stewart said that the Canadian claim was to islands lying north of the Canadian mainland up to the North Pole. The limits of Canada's claim, as indicated on the map, formed a great triangle with the mainland as the base and the North Pole as the apex. The western boundary was a continuation of the boundary between Canada and Alaska; the eastern, took a line up Davis straits between Canada and Greenland and then followed long. 60 west to the Pole. Mr. Stewart roughly defined the territory claimed by Canada as that lying north of Canada, west of Greenland, between 60 and 142."

Special Committee on Estimates, March 23, 1955

"...Hon. Mr. Lesage: Our claim to the northernmost islands has never been challenged. If you will look at the annual report of the department and the map which is attached to the back cover it shows the effective occupation of the northern islands. There is a weather station at Alert bay which is at the northern tip of the northernmost island; then you have a weather station at Eureka, at Isachsen and at Mould Bay. At Resolute Bay you have an R.C.M.P. post, a weather station and an air field. At Craig Harbour you have R.C.M.P., at Alexander Fiord you have an R.C.M.P. post. These are all in the Queen Elizabeth Islands which are the northernmost islands..."

House of Commons Debates, November 27, 1957

Hon. Alvin Hamilton (Minister of Northern Affairs and National Resources): Mr. Speaker, the answer is that all the islands north of the mainland of Canada which comprise the Canadian Arctic Archipelago are of course part of Canada. North of the limits of the archipelago, however, the position is complicated by unusual physical features. The Arctic ocean is covered for the most part of the year with polar pack ice having an average thickness of about eight feet. Leads of water do open up as a result of the pack ice being in continuous motion, but for practical purposes it might be

- 5 -

said for the most part to be a permanently frozen sea. It will be seen, then, that the Arctic ocean north of the archipelago is not open water nor has it the stable qualities of land. Consequently the ordinary rules of international law may or may not have application..."

Conclusion

Canada has asserted its claim to sovereignty over the Arctic Islands since the 1860's and published the limits of its claim as early as 1895. No protest by other nations has been received apart from that of Norway in 1930 and that was settled. Apart from such formal assertions of sovereignty, Canada has made so many displays of effective sovereignty in so many respects, and for so long a period, as to establish its title to all of the islands in the Arctic Archipelago upon the doctrine of effective occupation in conformity with International Law.

Alvin Hamilton.

Department of Northern Affairs
and National Resources.

APPENDIX I

OUTLINE OF CANADA'S ADMINISTRATIVE AND OTHER ACTIVITIES IN THE CANADIAN ARCTIC ISLANDS OVER THE PAST YEARS

The Canadian Government has:

- (1) Engaged in considerable exploration of the Arctic Islands, surveying and mapping unknown regions.
- (2) It has sent forth numerous official scientific expeditions to carry out investigations in nearly every scientific field but chiefly in the fields of geography, geology, hydrography, biology, and archaeology.
- (3) Taken aerial photographs of nearly all of the islands, and since 1904 has compiled and published official maps which show them as part of Canada.
- (4) Through the R.C.M. Police it has brought law and order to the whole region; and since 1900 the Police have carried out patrols throughout the Archipelago. At present, eleven R.C.M.P. detachments are in operation on Baffin, Cornwallis, Victoria, Banks, and Ellesmere islands.
- (5) Established schools on Cornwallis, Baffin and Victoria islands; installed nursing stations and other medical care services; conducted regular medical patrols; given inoculations against disease; provided an "air ambulance service" to fly patients from the area to outside centres for treatment; developed relief measures for destitute Eskimos, and extended Family Allowance, Old Age Pensions and other national welfare programs to the inhabitants of the region.
- (6) Introduced orders-in-council, statutes and ordinances to regulate civil affairs, and the disposition of natural resources such as fur-bearing and game animals, sea mammals, migratory and non-migratory birds, oil, gas, and minerals, and has charged licence fees for the exploitation of these.

Moreover, since 1926, under "An Ordinance Respecting Scientists and Explorers" made by the Commissioner in Council of the Northwest Territories, scientists or explorers who wish to enter and conduct research in any part of the N.W.T. including the Arctic Islands, must apply and receive from the Commissioner a special licence to do so. Special permits or licences are also issued to scientists who wish to undertake archaeological investigations or to take wildlife specimens and migratory and non-migratory birds. Such provisions have been observed by the nationals of many countries, including those with particular interests in the Arctic.

- (7) Established Post Offices in sixteen settlements on Baffin, Cornwallis, Ellesmere, Ellef Ringnes, Prince Patrick, Banks, Victoria and Southampton islands; compiled population census; and appointed personnel to receive applications for citizenship and to act as customs and immigration officers.
- (8) Established a radio communication system and through the R.C.A.F. conducts an arctic search and rescue service.

APPENDIX I (cont'd)

In addition it has established three weather stations on Banks and Baffin islands. Since 1947, it has installed five weather stations with the U.S.A. under the Joint Arctic Weather Stations Program on Ellesmere, Ellef Ringnes, Prince Patrick, and Cornwallis islands. (In the operation of this program, although no formal exchange of notes has taken place between the two countries, the U.S.A. has respected Canadian sovereignty and has complied with Canada's wishes in the area.)

APPENDIX II

ATTITUDES OF NATIONS WITH SPECIAL INTERESTS IN THE ARCTIC AREA REGARDING ACCEPTANCE OF THE SECTOR PRINCIPLE

- (1) The U.K. claimed the sector principle by official declarations in 1917, 1923 and 1925 in relation to the Falkland and Ross sectors. In 1916 it tacitly accepted a Russian claim to islands north of Siberia on the grounds of "geographical continuity". Moreover, in 1930 it tacitly recognized the Soviet sector.
- (2) By a Decree of April 15, 1926, the U.S.S.R. officially recognized the sector principle and included as part of the territory of the U.S.S.R.

"all lands and islands already discovered, as well as those which are to be discovered in the future, which at the moment of the publication of the present decree are not recognized by the Union of Soviet Socialist Republics as the territory of any foreign state, and which lie in the Northern Frozen Ocean north of the coast of the Union of Soviet Socialist Republics up to the North Pole. . ."
- (3) The U.S.A. has never committed itself. It has usually put forward effective occupation as the basis for sovereignty in polar regions and has opposed the application of sectors in Antarctica.
- (4) Denmark, although never specifically declaring adherence to the principle, in practice is partly committed to it because of its claim to Greenland on the basis of the "essential unity of the whole area."
- (5) Norway has never claimed a sector. When it accepted the Canadian position with regard to the Sverdrup Islands in 1930, it stated that its recognition was in "no way based on any sanction whatever of what is named the sector principle."

APPENDIX III

N.W.T. GAME ORDINANCE, SCHEDULE "A" DESCRIPTION OF GAME PRESERVE (since 1926)

1. Arctic Islands Preserve—Comprising all that portion of the Northwest Territories lying within the boundaries described as follows:

Commencing at the North Pole; thence due south following the one hundred and forty-first meridian of west longitude to the seventy-fifth parallel of north latitude; thence southeasterly in a straight line to low-water mark at the extremity of Cape Lambton on Banks Island; thence southeasterly in a straight line to low-water mark at the extremity of Williams Point on Victoria Island; thence southeasterly following the low-water mark to the low-water mark at the extremity of Lady Franklin Point on Victoria Island; thence south-westerly in a straight line to the left bank of Coppermine River at its mouth; thence southerly following said left bank of said Coppermine River and its expansions to the intersection of the south bank of Lac de Gras with the one hundred and eleventh meridian of west longitude; thence south following said one hundred and eleventh meridian to its intersection with the northerly bank of MacKay Lake; thence westerly, southerly and easterly following the bank of MacKay Lake and including all its waters to the connecting waters with Lake Aylmer; thence easterly following the southerly bank of the said connecting waters to Lake Aylmer; thence easterly and southerly following the southerly bank of Lake Aylmer and Clinton-Colden Lake and the west bank of Ptarmigan Lake and the right bank of Lockhart River to Artillery Lake; thence southerly following the westerly bank of Artillery Lake to its intersection with the sixty-third parallel of north latitude; thence due east following the said sixty-third parallel of north latitude to its intersection with the easterly bank of Artillery Lake; thence northerly following said easterly bank of Artillery Lake and the easterly banks of Ptarmigan Lake, Lockhart River and Clinton-Colden Lake to its most easterly intersection with the sixty-fourth parallel of north latitude; thence due east along the said sixty-fourth parallel of north latitude to its intersection with the height of land between the waters of Thelon and Back Rivers; thence northeasterly following said height of land to the portage between Buchanan and Tibielik Rivers; thence southeasterly following said portage and the west bank of Tibielik River to Beverly Lake; thence following the northerly banks of Beverly Lake, Aberdeen Lake, Schultz Lake and connecting waters to Thelon River; thence easterly following the northerly banks of Thelon River, Baker Lake and Chesterfield Inlet to the mouth of said Chesterfield Inlet; thence easterly in a straight line to low-water mark at the extremity of Cape Southampton on Coats Island; thence northeasterly in a straight line to low-water mark at the extremity of Cape Cary's Swan Nest on said Coats Island; thence northeasterly in a straight line to low-water mark at the extremity of the most southerly point on Nottingham Island; thence easterly in a straight line to low-water mark at the extremity of the most southerly point of Resolution Island; thence continuing on said straight line to a point ten statute miles to seaward of low-water mark at the southerly extremity of Resolution Island; thence northerly skirting Baffin Island to seaward through a

APPENDIX III (cont'd)

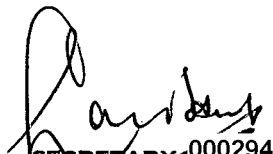
succession of points ten miles to seaward of low-water mark at all the seaward extremities of Baffin Island and its off-shore islands to a point ten miles seaward of low-water mark at the extremity of Cape Bowen on Baffin Island; thence northeasterly in a straight line to the point where the seventy-fifth parallel of north latitude intersects the mid-channel line between Greenland on the east and Devon, Cobourg and Ellesmere Islands on the west; thence northerly following said mid-channel line to the point where it intersects the meridian of sixty degrees west longitude; thence due north following said meridian of sixty degrees west longitude to the point of commencement at the North Pole.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

MEMORANDUM MR. J.H. GORDON

DATE Dec. 16/68

With the Secretary's compliments.


SECRETARY 000294

Dr. P. B. B. - Frost

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ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The 73rd meeting of the Committee will be held on Thursday, December 19, 1968, at 2:30 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

AGENDA

- I. Government Activities in the North - 1967.
(Secretary's memorandum, Document ND-462, distributed June 28, 1968).
- II. Resumé of Meeting Between Representatives of the Canadian and U.S. Governments to Exchange Views on Arctic Transportation. ✓
(Secretary's memorandum, Document ND-463, distributed July 23, 1968).
- III. Expeditions to the Polar Basin. ✓
(Secretary's memorandum, Document ND-464, distributed July 25, 1968).
- IV. British North Pole Expedition. ✓
(Secretary's memorandum, Document ND-465, distributed September 3, 1968).
- V. Ground Effect Machines. ✓
(Secretary's memorandum, Document ND-466, distributed September 25, 1968).
- VI. Special Research Bureau (formerly J.I.B.) Report. ✓
(Secretary's memorandum, Document ND-467, distributed October 7, 1968).
- VII. The Future of Alert, N.W.T. ✓
(Secretary's memorandum, Document ND-468, distributed December 6, 1968).
- VIII. The Development of Potential Oil Reserves in the Arctic, and Canada's Involvement Through the Northwest Passage and Canadian Sovereignty over Arctic Waters (reissued).
(Secretary's memoranda, Documents ND-469 and 470, distributed December 10, 1968).

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IX. Arctic Institute of North America.

(Secretary's memorandum, Document ND-471, distributed December 16, 1969).

X. Canada and E.C.E.

(Secretary's memorandum, Document ND-472, distributed December 16, 1968).

XI. Items of General Interest:

- (a) Bertin Terraplane - trials. ✓
- (b) Progress Report (Panarctic). ✓
- (c) Fifth National Northern Conference. ✓
- (d) Air Route Frobisher to Greenland. ✓

XII. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
December 16, 1968.

UNCLASSIFIED

DOCUMENT ND-471

MEMORANDUM FOR THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The Arctic Institute of North America is incorporated in Canada and the U.S.A. in substantially identical terms. The objects of the Arctic Institute as defined in its by-laws are:

1. To initiate, encourage, support and advance by financial grants or otherwise the objective study of arctic conditions and problems, including such as pertain to the natural sciences, sciences' generally and communication;
2. To collect, preserve and arrange records and material relating to the arctic regions, and especially to such areas thereof, as form part of or are contiguous to the continent of North America;
3. To make such records and material available for pure and applied scientific use by properly qualified individuals and organizations, including governmental agencies;
4. To arrange for or to assist in the publication of reports, maps, charts and other documentary material relating to the arctic regions;
5. To establish and maintain close contact with other Arctic Institutes and organizations engaged in similar or related fields of study.

Since 1945, the date the Institute was incorporated in both Canada and the U.S.A., it has received generous financial support from both governments. In the appendix to this paper is a list of the most prominent studies undertaken, some of which are of a continuing nature.

The Canadian government contribution to the Arctic Institute in 1967 amounted to \$232,000 out of a total budget of \$1,300,000. The major source of funds was in contracts with U.S. government agencies, from which the Institute derives a substantial overhead. The Canadian contribution was made up as follows:

Department of Indian Affairs and Northern Development	\$30,000	general support
	15,000	Icefield Ranges
	15,000	Devon Island expedition
	30,000	Arctic Bibliography
National Research Council	120,000	basic support
	<u>22,000</u>	Miscellaneous studies
		for a number of depart-
		ments
	\$232,000	

In addition to the above, small grants have been received from N.R.C. on a cultural exchange program, Canada Council and certain Crown companies for specific studies.

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It is difficult to set a value in dollars and cents on the services provided by the Arctic Institute listed in the appendix. It is clear, however, that the Institute's expenditures on research and related activities in Canada exceed the total contributions received by the Institute from Canadian sources.

→ Early in 1968, and responding to an enquiry from the Department of Indian Affairs and Northern Development (Northern Scientific Adviser) the Institute was invited to suggest a number of research studies and related activities which the Federal government might wish to support. The following are some of the projects which the Institute propose. Some of these projects were already commenced although financing was not complete.

1. Northern Transportation Study - After due consideration by representatives from government departments it was decided not to support this project in its present form but to find ways and means to modify the program in such a way as to find an acceptable alternative which Federal government could support financially.
2. Community Development Conference in Northern Countries - The Institute presented to the President, Central Mortgage and Housing Corporation a plan to organize a series of community development conferences in northern countries and a request for funds to cover the planning meeting in Montreal.
3. Preparation of Manuals and Bibliographies on the Arctic - The Institute expressed a willingness to prepare for publication a series of manuals and bibliographies on the Canadian north. They would be prepared for the use of teachers, as well as for the general public. They would be mostly used in elementary and secondary schools.
4. Consultant service for the Frobisher Bay development - The Institute offered its assistance during the conceptual phase of Frobisher Bay development. It suggested that the department should "have access to comprehensive and independent evaluation of the Frobisher Bay plans prior to their implementation".
5. International Conference on Problems of Cross-Cultural Education in the North - This idea originates with the University of Alaska with the tacit support of the Ford Foundation. A grant of \$5,000 to meet part of the expenses of the project administrator was the substance of the request.

In reviewing the work of the Institute some questions arise. The first is whether the Canadian government's contribution should be centralized in one agency, for example in the N.R.C. under its broad responsibilities for assisting research, or in the Department of Indian Affairs and Northern Development, in view of the Minister's responsibilities for northern research and co-ordination. A case can be made for centralizing Canadian government support in one agency. The agency would then be in a better position to influence the operations of the Arctic Institute.

The second question is whether the constitution of the Arctic Institute is sound so far as Canadian interests are concerned. As it is now constituted the Arctic Institute

.../3

- 3 -

is an international organization. The Arctic Institute, therefore, must direct its activities and conceive its programs on an international basis. The Department of Indian Affairs and Northern Development, because of its primary interest in developing the north must direct its activities in the national interest. There is some merit in considering a wholly independent Canadian Arctic Institute with a corresponding Institute in the U.S.A. each with its Board of Governors and each nationally financed. The two boards could meet jointly once a year as the Arctic Institute of North America. Some matters they would have in common such as joint research committees, membership and publications. In the event of a division of responsibilities, some attention should be given to moving the Institute's present Canadian headquarters to Ottawa where it would be in a better position to co-operate with the Government of Canada.

In the event the present Board of Governors decided on separating the Institute, it would want certain guarantees from the Canadian Government in order to ensure an annual revenue. In any case, if the Institute is to continue to operate successfully it must have adequate financial support for (a) its housekeeping expenses, (b) projects of a continuing nature, viz. the Arctic Bibliography, (c) the grants in aid program.

If this Committee considers that the Arctic Institute of North America either in its present form or in a modified form is a useful independent research organization capable of serving the Government of Canada in several useful ways, then the question arises as to how the interests of Canada can best be served, and to what degree Canada should support the Institute.

It is recommended therefore that a committee of three and the Secretary examine this relationship and discuss with the Executive Director of the Institute to determine:

- (a) the relationship between the Institute and the Government of Canada and to suggest a suitable "modus vivendi";
- (b) the future of the Institute and its constitution in relation to (a) above; and
- (c) the financial support to be given annually under the following categories:
 - (i) Housekeeping
 - (ii) Projects of a continuing nature
 - (iii) Grants in aid
 - (iv) Special projects
- (d) other related matters.

.../4

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A completed report will be circulated by the Secretary.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
December 16, 1968.

APPENDIX

1. A Program of Research Grants

Some 600 research projects have now been supported by the Institute at a current annual cost in the order of \$294,480. Of these about 2/5 have been carried out in Canada. The selection out of a large number of applications of those that are to receive support is made by a research committee with both U.S. and Canadian members.

2. The Bibliography Project

The Arctic Bibliography which now has some 85,000 entries, is a very useful research tool, particularly valuable because northern research cuts across the usual division of science by disciplines, greatly limiting the usefulness of the normal bibliographies for each discipline. The abstracts indicate the nature, and to some extent the quality, of the material and it has excellent coverage of Russian and other foreign material. Most arctic scientists use it frequently for reference, and it has a special value at isolated laboratories like Inuvik which cannot carry a large library. To avoid the necessity of looking through the indices at the end of each volume, a cumulative print-out index is becoming increasingly desirable, and should be a practicable undertaking. The question has been raised as to whether the bibliography requirement could be met by the Library of Congress, the National Library or some other agency.

A great deal of experimental work is being carried out now in bibliographical compilation and computer technology, but neither the Library of Congress nor the National Library are yet producing bibliographies by computer. This may change in the next two or three years, at which time the method of producing the Arctic Bibliography should be reviewed.

3. Publications

With the enormous increase of scientific work throughout the world, publication of the results of research is a major problem. In publishing northern research the Institute, therefore, provides a very useful service.

- (a) "Arctic", which appears four times a year, publishes reports on arctic research and other material of northern interest.
- (b) The Technical Publications series now numbers about twenty. It records northern research of lasting significance in greater detail than would be suitable for "Arctic".

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- (c) The Russian translation series, "Anthropology of the North", of which about seven volumes have been issued, provides access to important Russian work not otherwise available.
- (d) Special Publications of book length appear at irregular intervals on such subjects as the economic development of Alaska, the status of research in the arctic basin, etc.
- (e) Newsletter first issued January 1968 - a report of the activities of the Institute.

4. Expeditions and Studies

The Devon Island expedition, the Baffin Ice Cap expeditions, the Icefield Ranges Project are examples of major expeditions undertaken by the Institute. They have been a means both of securing scientific information on the north and of training northern scientists.

5. International Meetings and Symposia

The Institute has convened a number of important international meetings and symposia dealing either with northern research in general or with specific subjects such as circumpolar medical problems. The international character of the Institute is here an advantage as it assists in securing wide representation and avoids political implications.

6. Library and Information Service

The Institute's library has very good coverage and is based at Montreal, where it is used extensively for research. The Institute is also an important source of arctic information for industry and other interests concerned with northern development.

7. Northern Promotion

By holding public lectures, by playing an increasing part in educational activities, and by providing a northern focus, the Institute is filling a significant role in fostering public interest in the north.

CONFIDENTIAL

DOCUMENT ND-472

MEMORANDUM FOR THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Canada and the E.C.E.

At its 72nd meeting the Advisory Committee on Northern Development favoured in principle a positive response by Canada to a suggestion from the U.S. that Canada participate in the Economic Commission for Europe for discussion of Arctic matters. Some concern was felt on the security aspects, and on the effect of a new forum on existing bi-lateral and multi-lateral channels for scientific exchange in the Arctic. These areas of possible conflict were further discussed at an "ad hoc" sub-committee of A.C.N.D. on June 26, 1968, with representation from Energy, Mines and Resources, External Affairs, National Defence, Transport, Indian Affairs and Northern Development, R.C.M. Police, and the Science Secretariat.

The "ad hoc" committee agreed that Canada could benefit through increased opportunities for international co-operation and exchange of information on Arctic matters. Such exchange might bear on a wide range of science and technology related to northern development, including such matters as planning and architectural design for northern communities; planning for resource based communities; transport technology; and construction methods on permafrost. Many of the problems encountered were circumpolar and required international co-operation. Canada with a large northern area and a small population, stood to gain by such co-operation. The committee defined several areas of concern.

Special Areas of Concern

1. Security: If large numbers of visitors should visit the Canadian Arctic under the aegis of E.C.E., there would be problems with the physical arrangements in the field to ensure security in sensitive areas. Reciprocity has been an important consideration in exchange visits involving the U.S.S.R. and care would be required to ensure that E.C.E. could not be exploited as a "back door" in obtaining information on the north of Canada.
2. Existing Channels for Co-operation in Scientific Fields: A variety of established channels exist for an exchange of information with other northern countries on individual scientific subjects of interest in the Departments of Energy, Mines and Resources and Transport. Personnel at the working level have not felt the lack of a channel or forum for exchange on Arctic matters. The official endorsement of another forum as the preferred channel might prejudice the ease of communication already achieved through established channels.
3. Relationship of E.C.E. and UNESCO: There has been international scientific exchange through UNESCO on a number of disciplines. Although not oriented specifically on the Arctic, this exchange has included Arctic matters. Canada plays an active part in UNESCO. The committee noted that the role played by

- 2 -

UNESCO should be considered when assessing the need for bringing Arctic subjects before E.C.E.

Summary

Con.

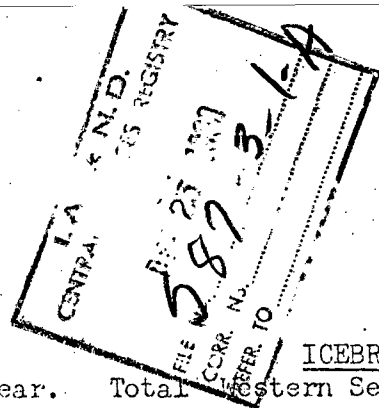
1. Defense security in sensitive areas in the Arctic.
2. Within Federal Government departments individual scientific disciplines enjoy established channels for international co-operation at the working level, and do not require a further official forum.

Pro.

1. E.C.E. might be a useful forum for scientific matters in the Arctic at the planning and policy level. Care would be required to ensure that the channels developed for E.C.E. should not prevent free exchange and collaboration at the technical level.
2. E.C.E. might play a useful role in exchange over the broad technical fields pertaining to economic development in the north.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
December 16, 1963.



A.C.N.D. December 18/68

SUMMARY OF NORTHERN SEA ROUTE OPERATION

(Information Extracted from Polar Record).

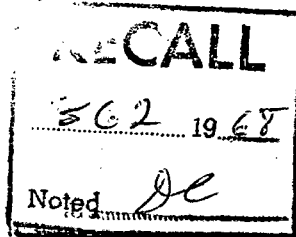
Year.	Total	ICEBREAKERS		STARTING DATES OF SEASON		CLOSING DATES OF SEASON		Freight Carried
		Western Sector	Eastern Sector	Eastern Sector	Western Sector	Eastern Sector	Western Sector	
1967	11	4	7	Chukchi Sea 5th June. Pevek - 10th June Kolyma - early June	Yenisei - 27th June Mouth of Lena - Late June Tiksi - early August	Not published Season at Igarka was said to be 115 days; implies closure on about 25th October - all vessels reported to be out of whole area by 10th November.	Not published. Around 25th Oct.	Igarka - timber export 944,000M ³ (188,000 standards) carried in 129 ships Bringing of stores and equipment to gold mines in the northeast 20th annual convoy of river craft from White sea ports to Ob, Yenisei and Lena
1966	14	7	7	Pevek - 29th June	Kara Sea - 3rd July Dudinka, Igarka - Middle of July Tiksi - mid August	Pevek - 15th October	Igarka - 31st October Kara Sea - 9th November	<p><u>Eastern</u> 100 freighters active in the eastern sector (30 making double trips) From Tiksi, the export of timber to Japan maintained (total leaving the port was 35,000M³ (about 7,000 standards) but some went to Chukotka.</p> <p><u>Western</u> Igarka - expected that 900,000M³ of timber (180,000 standards) would be lifted in about 100 ships. (Target export for 1970 is 1,500,000M³). Dudinka - expected that freight reaching the town through Dudinka could total 205,000 tons by sea (36%) and 360,000 tons down the river (64%) Seventy-six ships appear to have taken part in the annual convoy of river craft from Europe to the Ob! - Irkys, Yenisei & Lena</p>

The effective shipping season at various points along the Northern Sea
Route was therefore as follows:
Entrance to Kara (north or south of Vaygach) 3rd July to 14th
November - 133 days.

Igarka	17th July to 31st October - 106 days
Mys Chelyuski	7th August to 8th October - 62 days
Pevek	29th June to 15th October - 109 days
Bering Sea	25th June to 20th October - 117 days

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Year	Total	ICEBREAKERS		STARTING DATES OF SEASON		CLOSING DATES OF SEASON		Freight Carried.
		Western Sector	Eastern Sector	Eastern Sector	Western Sector	Eastern Sector	Western Sector	
1965	14	7	7	Provideniya - 27th June Bering Sea - 27th June Mys Shmidt - 1st July Pevek - 27th July	Yenisei estuary 6th July Dudinka - 8th July Igarka - 8th July Tiksi - Mid July	Last convoy of Pacific ships forced, because of ice conditions, to sail westwards Bering Strait - 27th October Egvekinot - mid November Provideniya - mid November.	Yenisei - 3rd November Kara Sea - mid October.	<u>Igarka</u> 116 vessels took timber, carrying 10,000 tons more than in 1964, or probably about half a million tons. <u>North East</u> Mainly supplies for gold mining sites in Chukotka and on the Kolyma - timber to Japan - convoy of river craft (100) from White Sea to Ob', Yenisei, Lena.
1964	13	6	7	Pevek - first week in July	Igarka - 5th July Dudinka - 6th July Tiksi - 14th August	Last freighters left eastern sector ports by October 22nd	Igarka - 29th October	<u>Eastern</u> A new feature was the export of timber to Japan <u>Western</u> Incoming freight from Noril'sk, shipped to Dudinka was a substantial item Annual convoy of river ships bound for Siberia (more than 150 vessels involved)
1963	13	-	-	Provideniya - 4th June Bering Strait - 4th June Pevek - 9th July	Tiksi - 20th August Igarka - 8th July	Pevek - end of November	Tiksi - 15th October Igarka - 6th November	Ice conditions more difficult than in 1962 but freighters succeeded in transporting 18% more freight than in 1962. It can be inferred that 250 ships were employed. <u>Igarka</u> - 95 ships, 31 of them non-Soviet.



SECRET

DOCUMENT NO. 468

E. N. D.
CENTRAL SERVICES REGISTRY

MEMORANDUM FOR THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

Alert, N.W.T.

The Department of National Defence is planning new base facilities for Alert, N.W.T.

Alert was established as one of the Joint Arctic Weather Stations in 1950. This most northerly land weather station in the world is operated jointly by the Meteorological Branch, D.O.T. and the U.S. Weather Bureau, under an international agreement. The facilities include limited accommodation and messing, power, and airstrip, and have been used by a number of departments over the years. (E.M.&R., N.R.C., D.N.D.)

In April, 1968, a meeting attended by representatives from D.O.T., D.P.W., E.M.&R., N.R.C., I.A.&N.D., was called by D.N.D. to indicate the type of base facilities proposed, and to evaluate the possibility of other federal departments making use of the proposed new facilities in the conduct of programs in the area. As a result of this meeting it appeared that no significant sharing of the proposed facilities would be sought by federal departments. D.N.D.'s requirements for security, the control of radio interference, and the effect of these requirements on the activities of other departments at or near Alert were evaluated.

Co-operation with other Departments

Energy, Mines and Resources have stated:

1. A need for assurance that they would be able to undertake a study of the Arctic Ocean planned for 1971-74 and such studies of North Greenland as may be conducted under the international agreement between Canada and Denmark, using Alert as a logistics base without undue interference.
2. A need for assurance that E.M.&R. field units will be able to set up local radio networks and electronic navigation and survey systems in the area provided these do not cause interference with the activities of other agencies.
3. A need for assurance that field survey or supply aircraft under charter to E.M.&R. will be able to operate in the Alert area using the airstrip at will, operating such electronic equipment as is necessary and without having obtained prior security clearance for each passenger.

D.N.D. has confirmed that 1 & 2 above should present no problem to D.N.D. if the proviso of not causing interference is adhered to. In the case of 3 above, D.N.D.

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would wish to establish more precisely what is entailed and what potential interference may be anticipated.

The Department of Transport prefers to maintain its own accommodation and messing at Alert because it is not practical for the staff to live away from the operations area. Ancillary services including power, water, motor transport and repair, etc., might be co-ordinated and shared in any major improvement program at Alert. D.O.T. has stated limitations that should be observed in construction at Alert, so as to ensure the integrity and continuity of rawinsonde observations. The limitations refer to electrical interference and the necessity to keep buildings from exceeding a four degree angle above the horizontal as viewed from the rawinsonde antenna.

Relocation of Base or Airstrip

A suggestion that the station might be relocated, either in the same general vicinity, continuing to use the existing airstrip, or in some other area, with a separate airstrip, was examined in D.N.D. and the following conclusions reached.

- a. The existing site was initially selected for its exceptionally advantageous geographical location, its particular qualities as a radio receiving site, and its water supply.
- b. It is known there is no better site for the purpose within practicable access of the existing airstrip.
- c. The problem of exposure to overflying aircraft and the preservation of physical security, which is to say denying access to the station compound and preventing inspection of the installation from the perimeter, would not be reduced appreciably by a short move.
- d. Apart from the problem of interference from the airstrip beacons which, it is believed, can be surmounted electronically, there is no operational advantage to be gained by moving that station to another site in the same vicinity.
- e. Relocation of the station with its own airstrip in some other area, if a suitable one can be found, would be costly and would not improve matters operationally. Moreover, once the new airstrip was established a situation similar to that now existing at Alert would inevitably develop in a short period of time.

As a result D.N.D. has decided it is not in D.N.D.'s interests to contemplate moving the station in the foreseeable future.

D.N.D. has advised it is proceeding with a Base Development Plan for improvement of the present site. A preliminary report on the plan will be available early in 1969. D.N.D. is also negotiating with the Department of Indian Affairs and Northern

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Development to provide a number of trained Eskimos to fill certain jobs to be made available effective 1 April, 1969.

D.N.D. wishes to have an area of about 450 square miles surrounding Alert set aside as reserved Crown lands in the name of Department of National Defence. This request which includes withdrawal of mineral rights is to prevent sub-surface exploitation of the reservation by commercial interests. The implications of this request are significant because it has been pointed out that the Alert area is of great interest geophysically and geologically. It is in a line of direct extension of some of the most favourable geological formations in the north.

It seems safe to conclude, therefore, that there are no federal plans for the Alert area which cannot be implemented to the mutual satisfaction of the departments concerned.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
December 6, 1968.

Department of
Indian Affairs and
Northern Development

Deputy Minister

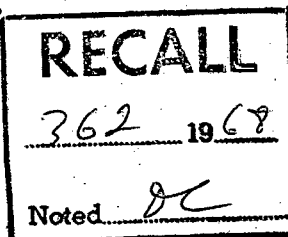


Sous-ministre

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Ottawa 4, December 4, 1968.

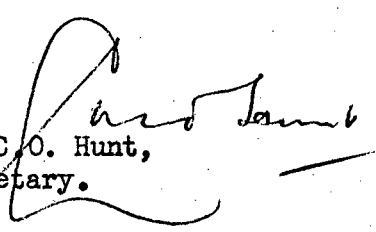


MEMORANDUM TO THE ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-third meeting of the Advisory Committee on Northern Development is being called by the Chairman for Thursday, 19 December, 1968, at 2:30 p.m., in the conference room on the 14th floor of the Centennial Tower Building, 400 Laurier Avenue West.

The main item on the agenda will be the degree of participation to be recommended to the Government of Canada by the Committee in the matter of research and feasibility studies to be undertaken in conjunction with the U.S. Government and certain major oil companies with respect to the Northwest Passage. Likewise the feasibility of pipeline construction across Canadian territory. This item has become urgent by virtue of the large discoveries of oil at Prudhoe Bay, Alaska, and the degree of exploration now being carried out in the Canadian Arctic.

Background papers and the agenda will be forwarded in due course.


L.A.C. O. Hunt,
Secretary.

DEPARTMENT OF
INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
OFFICE OF THE DEPUTY MINISTER

TO: THE MINISTER

DATE MAY 30 1968

FOR APPROVAL:

☐

FOR SIGNATURE:

☐

FOR INFORMATION:

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FOR DIRECTION:

☐

AS REQUESTED:

☐

TO NOTE AND RETURN:

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ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

CONFIDENTIAL
JUN 11 1968
FILE NO. 82-3-1-A
CORR. NO.
REFER. TO

The 72nd meeting of the Committee will be held on Thursday, June 6, 1968, at 2:30 p.m., in the conference room of the Department of Indian Affairs and Northern Development, 14th floor, south wing, Centennial Tower, 400 Laurier Avenue West.

AGENDA

- I. Allowances and other Benefits to Soviet Workers.
(Secretary's memorandum, Document ND-452, distributed March 1, 1968).
- II. Furthering Employment of Northern Residents in Federal Departments and Agencies.
(Secretary's memorandum, Document ND-453, distributed March 15, 1968).
- III. Yukon Transportation Study.
(Secretary's memorandum, Document ND-454, distributed March 21, 1968).
- IV. D.O.T. Weather Stations.
(Secretary's memorandum, Document ND-455, distributed March 21, 1968).
- V. Proposal to Establish "Ad Hoc" Committee on Construction.
(Secretary's memorandum, Document ND-456, distributed May 24, 1968).
- VI. Search and Rescue Procedures.
(Secretary's memorandum, Document ND-457, distributed May 8, 1968).
- VII. Sub-Committee Report on Ground Effect Machines.
(Secretary's memorandum, ND-458, distributed May 3, 1968).
- VIII. Canada and E.C.E.
(Secretary's memorandum, ND-459, distributed May 10, 1968).
- IX. Expeditions to the Polar Basin.
(Secretary's memorandum, ND-460, distributed May 10, 1968).

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X. Application of Canadian Taxes on D.E.W. Line Support.

(Secretary's memorandum, ND-461, distributed May 17, 1968).

XI. Items of General Interest:

- (a) Progress Report - PanArctic,
- (b) Soviet Shipping in Canadian Waters,
- (c) Satellite Communication,
- (d) Alert, N.W.T.,
- (e) Polar Transportation Study,
- (f) Radar Stations Closing.

XII. Other Business.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
May 29, 1968.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

JUN 18 1988

MEMORANDUM MR. J.A. MACDONALD DATE.....

With the Secretary's compliments.

SEEN BY
DEPUTY MINISTER

Handwritten signature: Gold for Deputy

Handwritten signature: Land
SECRETARY 000314

SECRET

P.A.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-second meeting of the Committee was held on Thursday, June 6, 1968, at 2:30 p.m. in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.

FILE NO.	87-3-1-A
DATE	JUN 27 1968
TIME	
BY	

PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development

(Chairman)

Mr. G.S. Barry, representing the Deputy Minister of Energy, Mines, and Resources

Mr. W.R. Binks, representing the Deputy Minister of Public Works

Commodore F.B. Caldwell, representing the Chief of the Defence Staff

Asst. Commissioner H.S. Cooper, representing the Commissioner, R.C.M.P.

Mr. M.J. Deacey, representing the Deputy Minister of Defence Production

Mr. R.A. Fleming, representing the Deputy Minister of Finance

Mr. R.L. Gibbs, representing the Secretary to the Treasury Board

Mr. Marcel Guay, representing the Deputy Minister of Manpower and Immigration

Mr. D.W. Henderson, representing the Secretary to the Cabinet

Dr. N.B. Hutcheon, representing the President, National Research Council

Mr. D.A. McDougal, representing the Deputy Minister of Transport

Mr. J.S. Nutt, representing the Secretary of State for External Affairs

Dr. W. Petrie, representing the Chairman, Defence Research Board

Dr. H.A. Procter, representing the Deputy Minister of National Health and Welfare

Dr. K. Rasmussen, representing the Deputy Minister of Agriculture

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development

(Secretary)

ALSO PRESENT:

Mr. J.R. Atkinson, Department of Indian Affairs and Northern Development

Mr. F.A.G. Carter, Department of Indian Affairs and Northern Development

Major D.E. Davis, Department of National Defence

Mr. C.D. Fogarty, Department of External Affairs

Mr. J.H. Gordon, Department of Indian Affairs and Northern Development

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ALSO PRESENT (Cont'd)

Mr. Digby Hunt, Department of Indian Affairs and Northern Development
Dr. A.H. McPherson, Science Secretariat, Privy Council
Mr. C.L. Merrill, Department of Indian Affairs and Northern Development
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Chief Superintendent J.R. Steinhauer, R.C.M.P.
Mr. L.J. Villeneuve, Department of External Affairs

NOT REPRESENTED:

The Chairman, Canadian Section Permanent Joint Board on Defence
Deputy Minister, Department of Fisheries

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I. ALLOWANCES AND OTHER BENEFITS TO SOVIET WORKERS

(Secretary's memorandum, Document ND-452, distributed March 1, 1968).

The Chairman explained that this document had been circulated for information purposes only; it represented an amplification of a previous document, ND-449, distributed December 1, 1967.

The Committee noted the report.

II. FURTHERING EMPLOYMENT OF NORTHERN RESIDENTS
IN FEDERAL DEPARTMENTS AND AGENCIES

(Secretary's memorandum, Document ND-453, distributed March 15, 1968).

The Chairman explained that the document had been circulated as a follow-up to document ND-431. If approved, it would enable departments operating in the north to draw on a pool of apprentice positions to ensure that local northern residents had an opportunity to learn a basic skill and thus become eligible to fill a position in the north.

Mr. D.A. McDougal pointed out that many positions in the D.O.T. required high technical qualifications. While the Department of Transport concurred in the philosophy of this document, the Department could not sacrifice qualifications, in order to employ local residents.

Dr. H.A. Procter said, many positions in the Department of National Health and Welfare required specialized skills, but he looked forward to increased employment of northern residents as educational opportunities expanded in the north.

Mr. W.R. Binks stated that the Department of Public Works agreed with the recommendations outlined in the document, and believed that the second recommendation would go a long way towards enabling departments to accelerate training of those at present unskilled or semi-skilled.

Mr. G.S. Barry pointed out that the majority of the positions available in the Department of Energy, Mines, and Resources, required a minimum of a university degree. Many of those employed on a seasonal basis were students using their summer jobs to acquire material for their theses.

Mr. M. Guay said that the Department of Manpower and Immigration was responsible for the occupational training of adults, but they had only one office in the N.W.T. at Yellowknife, where they had staff difficulties. They had a working arrangement with Indian Affairs and Northern Development.

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The Chairman pointed out that federal contracts contained a clause specifying the use of local labour where possible, but contractors must have some degree of latitude so that they can import labour when skills are not available locally. The effectiveness of this clause might be enhanced by departmental field representatives working closely with the contractor.

The Committee recommended that:

- (1) approval be given to the various methods of training outlined in document ND-453 and departments will avail themselves of the opportunities offered, and
- (2) the Department of Indian Affairs and Northern Development propose to Treasury Board a pool of apprenticeship positions under the administration from which operating departments in the north can draw upon as required, on the understanding that salaries required for apprentices would be absorbed by the employing department while all other expenses would be absorbed by the Department of Indian Affairs and Northern Development.

III. YUKON TRANSPORTATION STUDY

(Secretary's memorandum, Document ND-454, distributed March 21, 1968).

The Chairman noted that this report summarized a more comprehensive study conducted by Travacon Research Ltd. It had been circulated for information only.

Mr. McDougal stated that the Department of Transport was most interested in this study and that it would be examined closely.

The Committee noted the report.

IV. D.O.T. NORTHERN WEATHER STATIONS

(Secretary's memorandum, Document ND-455, distributed March 21, 1968).

Mr. McDougal explained that the Department of Transport had requested the circulation of this document. There had been occasions in the past when expensive relocations had taken place because of the lack of proper co-ordination in settlement planning.

The Committee noted the report.

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V. PROPOSAL TO ESTABLISH AN "AD HOC"
COMMITTEE ON CONSTRUCTION

(Secretary's memorandum, Document ND-456, distributed May 24, 1968).

The Chairman noted that the Sub-Committee on Construction had recommended its dissolution, and the co-ordinating function for a large portion of the federal building program in the Territories was being dealt with by a committee in Edmonton. However, the sub-committee had other terms of reference which could not be overlooked and this concerned the broad technological and scientific review of northern construction, methods and materials. Furthermore, the Edmonton committee confined its operations to a Department of Public Works' region, which did not cover all the N.W.T. Perhaps a further sub-committee for the co-ordination of federal construction in Arctic Quebec and the Franklin District of the N.W.T. was needed.

Dr. N.B. Hutcheon said the suggested "ad hoc" committee and the proposed terms of reference were of special interest to the Building Research Division of the National Research Council.

The Chairman explained that Dr. R.F. Legget, of N.R.C., had consented to chair such a committee and if the proposal were acceptable, departments would be requested to designate their representatives.

Mr. McDougal stated that the Department of Transport supported the proposals; but this committee should give consideration to establishing a co-ordinating committee on construction for the Eastern Arctic and Arctic Quebec.

Dr. Procter stated that the proposals were satisfactory to the Department of National Health and Welfare.

The Chairman noted that the Committee accepted the proposal to establish (a) an "ad hoc" sub-committee to study the scientific and technological aspects of northern construction; (b) that the committee in Edmonton would maintain liaison with A.C.N.D. through the Secretary; and (c) a co-ordinating committee for the Eastern Arctic be established and the departments concerned be requested to nominate their representatives to both committees.

VI. SEARCH AND RESCUE PROCEDURES

(Secretary's memorandum, Document ND-457, distributed May 8, 1968).

The Chairman explained that because of certain administrative problems which arose last winter in connection with the rescue of two Eskimos from an ice floe in Hudson Bay, the Department of National Health and

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Welfare had suggested this paper, as a means of ensuring a full knowledge of the procedures for search and rescue.

The Secretary noted that since the paper had been circulated, some changes in terminology would be necessary because of the Canadian Forces Reorganization Act, which came into force on February 1st, 1968.

Commodore F.B. Caldwell stated the document was acceptable to the Department of National Defence with the appropriate changes in terminology.

Dr. Procter agreed that this was a useful document.

Mr. McDougal said the document reflects the views of the Department of Transport.

The Committee noted the report and instructed the Secretary to reissue it with the changes required as a result of the reorganization of the Armed Forces.

VII. SUB-COMMITTEE REPORT ON
GROUND EFFECT MACHINES

(Secretary's memorandum, Document ND-458, distributed May 3, 1968).

The Chairman explained that the trials of the Hovercraft SRN 6 at Churchill completed the work of the sub-committee. The D.O.T. Interdepartmental Committee on Air Cushion Vehicles had taken over any further responsibilities for developing this form of transport.

Mr. McDougal stated that the Department of Transport had now taken delivery of an SRN 6 and it would be used on the West Coast as part of the Coast Guard service and given extensive trials.

Mr. G.W. Rowley mentioned the French version of an Air Cushion Vehicle, i.e. the Bertin terraplane which interested departments wanted to test. A suitable location to hold field trials was being negotiated; tests would also be conducted at the L.E.T.E. proving grounds near Ottawa.

The Committee noted and approved the sub-committee's report on Ground Effect Machines.

VIII. CANADA AND E.C.E.

(Secretary's memorandum, ND-459, distributed May 10, 1968).

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The Chairman explained that this document had been circulated at the request of the Department of External Affairs. Some departments had already forwarded their comments, but an expression of opinion from the Committee would enable External Affairs to judge the issue other than in a political context. In brief, what were the options open to Canada in participating with E.C.E. on scientific matters involving the Arctic.

Mr. J.S. Nutt said that the U.S. had first raised this subject with External Affairs. Should Canada agree to participate, an official invitation would probably result. At some point it might be appropriate to seek Cabinet approval. However, External Affairs could foresee advantages by establishing additional links with Europe. On the other hand, existing bilateral relations, such as those with the U.S.S.R., might be eroded.

Mr. McDougal said insofar as the Department of Transport was concerned meteorology was already covered by Canada's membership in the W.M.O. Similar co-operation also existed in oceanography through membership in the International Oceanographic Commission.

Mr. Barry believed that exchange of information on northern resources was the subject of a sub-committee of U.N.E.S.C.O. It was undesirable to duplicate or complicate existing international arrangements. Dr. Roots had some reservations and mentioned in particular the U.N.E.S.C.O. conference on resource planning for the Biosphere which would meet in September. One aspect of this conference would deal with "Northern High Latitude Regions".

Commodore Caldwell accepted the principle of information exchange of this kind, but questioned whether Canada's participation in E.C.E. could lead to pressure for information involving sensitive areas of the north and continental defense.

Mr. Nutt said the U.S. would hold the same security views as Canada. In seeking an objective response to the U.S., it might be advisable to set down the advantages and disadvantages of this proposal.

The Chairman said, while the response was generally favourable, a small "ad hoc" committee consisting of representatives from External Affairs, D.N.D., D.O.T., R.C.M. Police, might look into all facets of this problem. Mr. J.H. Gordon as Chairman, and Mr. G.W. Rowley would represent the Department of Indian Affairs and Northern Development.

The Committee approved the establishment of an "ad hoc" committee under the chairmanship of Mr. J.H. Gordon to study in depth the question of Canada's participation in E.C.E.

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IX. EXPEDITIONS TO THE POLAR BASIN

(Secretary's memorandum, Document ND-460, distributed May 10, 1963).

The Secretary explained that at the 71st meeting of the Committee, he had been instructed to amend and revise the regulations approved at the 69th meeting, concerning expeditions to the Polar Basin. These amendments were set down with relevant comments from those departments who had a slightly dissenting viewpoint. It was now necessary to consolidate them into a firm document.

Mr. Digby Hunt mentioned licences were issued for mineral exploration work in the Polar Basin, and any conflict in regulations should be avoided.

The Chairman suggested a clause by clause reading.

Section (a) approved as in the original text.
Section (b) approved with addition of new paragraph.
Section (c) approved with new amendment submitted by Dr. Procter which now reads:-

"Evidence must be provided to satisfy the Department of National Health and Welfare that each member of the expedition is in satisfactory physical condition. This would include a report of complete medical examination, including the report of a psychiatric examination and dental examination, chest x-ray, and in the case of any member over 35 years of age a recent electrocardiogram. These reports should be forwarded to Northern Health Service, Department of National Health and Welfare, Ottawa, sufficiently in advance to allow for appraisal and the submission of additional information if this is considered advisable."

Section (d) approved as in original text.
Section (e) approved as in original text.
Section (f) approved as in original text.
Section (g) with respect to the objections of Department of National Defence the approved section (g) now reads:-

"The sponsorship of financial and other support for any expedition must be clearly detailed and set out. In the case of all expeditions, adequate evidence must be produced of prearranged and prefinanced contracts with reliable commercial operators for en route supply and emergency flights, as may be required."

Section (h) approved but the words "or Legation" be omitted. There are no foreign legations in Ottawa.

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Procedures

- Section (a) approved. The suggested amendment proposed by Department of National Defence was not accepted.
Section (b) approved as in the original text.
Section (c) approved as in the original text.
Section (d) not approved as now considered irrelevant.

The Committee approved the changes in the regulations on expeditions to the Polar Basin and the Secretary was instructed to issue a new document incorporating the approved amendments.

X. APPLICATION OF CANADIAN TAXES
ON D.E.W. LINE SUPPORT

(Secretary's memorandum, Document ND-461, distributed May 17, 1968).

The Chairman explained that an impost of 15.25% was payable to the Department of Revenue for all or any goods purchased from D.E.W. Line sources.

The Committee noted the document.

XI. ITEMS OF INTEREST

(a) Panarctic

Mr. Digby Hunt reported, the present sphere of activity in the Marie Bay area of Melville Island. The past months had been devoted to organizing massive logistic support, which was proceeding with the co-operation of D.O.T. Some of this co-operation involved the trials of the Alexbow, one of which will be fitted to a barge and tested during the summer off the coast of Melville Island. Panarctic was undertaking an extensive seismic survey of Melville Island, using heli-lift drills and portable camps. It was hoped to commence drilling next winter. Because of the interest in this venture, members were invited to attend a seminar on Thursday, June 27, in this Conference Room, where officials from Panarctic would brief government officials of this project.

(b) Soviet Shipping in Canadian Waters (SECRET)

Mr. Nutt gave a resumé of the "ad hoc" committee which had met to consider this problem. One of the conclusions concerned the reaction of the U.S. to the proposal. The U.S. reply now received was as follows:-

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"Following is text of aidememoire received from office of CDN Affairs relating to use of Soviet shipping in CDN Arctic. Text begins:

The Dept. of State has given consideration to the CDN Embassy note verbale of May 17/68 concerning the possible use of a Soviet icebreaker or of Soviet ore carriers in exploiting ore deposits in the vicinity of Coppermine, N.W.T.

Passage of such vessels through USA Territorial seas along the coast of Alaska would presumably constitute innocent passage, which is protected under international law. While the USA is concerned over certain security aspects of the travel of a Soviet vessel along the northern coast of Alaska and the northern coast of CDA to Coppermine, and would, therefore, desire that necessary precautions be taken, the grounds for concern do not/not appear sufficient to justify preventing passage of the vessel through the waters in question.

The Dept. considers that under international law USA vessels are entitled to equivalent privileges in Soviet Territorial seas. While there have been difficulties in the past over attempted transits by USA vessels through Soviet-claimed Territorial seas, the Dept. considers that these difficulties do not/not at this time suggest the advisability of placing an obstacle to the passage of the Soviet vessels.

The Dept. of State believes that the security interests of the two countries in the area in question are such that continued consultation on this subject is desirable as the CDN Govt. reaches its decision. Text ends."

Mr. Nutt did not think this constituted a satisfactory reply, particularly since a further exchange of information occurred as recently as June 5 and 6, and the following represents conversations on the same subject with officers of External Affairs and Captain Pullen and Mr. Austin on behalf of the Murray Watts group.

" At Mr. Marshall's request I contacted Capt. Pullen in the evening of June 5 to enquire about the status of this proposal. Capt. Pullen informed me that as far as he was concerned, as the shipping consultant for the Murray Watts group, the issue was stillborn and he assumed that the suggestion that a technical group would visit the Soviet Union in the near future, as suggested in Moscow's recent telegram, was based on old and outdated information.

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I had occasion, however, to speak to Mr. Pullen again later that evening and in the interim he had had some conversation with both Murray Watts and Mr. Austin and was able to tell me that the position was in fact more complex than he had earlier indicated. He undertook to clarify the situation further June 6 with both Mr. Watts and Mr. Austin and to advise me of the situation prior to noon.

2. Shortly after noon I received a call on a conference line from Mr. Austin with the other party on the line being Capt. Pullen. Mr. Austin introduced the subject with references to his prior correspondence with Mr. Laing and Mr. Martin and his former position with the Department of Northern Affairs and Natural Resources. There was three essential points of information that he wished to convey to me which represented new information, he thought, for the government.

- (a) In early May, Capt. Mayarov, captain of the Soviet Steamship "Orienburg", but also flag captain of the Soviet Far East Steamship Co., had called on him in Vancouver to discuss the possibility of a Soviet bid on the transportation of ore to Japan. The main subjects discussed were route and tonnage requirements, and Mayarov seemed to be approaching the question with some enthusiasm and took the view that a visit by a Soviet ice-breaker to navigate the route, with air reconnaissance by Canada, was the most evident requirement but it would be useful to have an exchange of delegations in advance of 2 or 3 specialists.
- (b) The Soviet Commercial Counsellor, Tchentchikovsky, had been informed by Austin of this approach by Mayarov and also that it would take some time to discuss the matter fully with the Canadian Government. Nevertheless, Austin proposed to Tchentchikovsky an exchange of delegations with a 15th of May deadline for resolution of the points to be visited in the Soviet Union. On the 18th or 19th of May Tchentchikovsky informed Austin with the regrets of the whole Embassy that no response had been received and Austin is still awaiting a response.

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- (c) Robert Annabel, described as a solid Canadian citizen, who has had considerable dealings with Soviet steamship freight agencies in shipping of logs from the West Coast to Japan, has recently been appointed as the agent for the Soviet Far East Steamship Co. and his current visit to Moscow is intended to pursue further the promotion of Soviet participation in the Coppermine project in discussions with Sovfracht. He is expected to return to Canada shortly, and while there is some realization on Austin's part that the commercial advantages of using Soviet ships may be limited, he is awaiting Annabel's report to see what degree of interest the Soviet side is maintaining in this proposal.

3. In frank terms I outlined some of the difficulties in this proposal for the Canadian Government and Austin clearly already had an appreciation of the security problems. I expressed concern if Annabel was likely to enter into any firm commitments with the Soviets with respect to this proposal, but Mr. Austin assured me that Mr. Annabel's business in the Soviet Union is in his capacity as the agent for the Soviet Far East Steamship Co. and that, while he is probably "promoting like hell", he has no authority to enter into commitments on behalf of the Murray Watts group. However, Annabel is well respected by Sovfracht and has in fact made them a lot of money, according to Austin, so his interest in the Coppermine venture will likely be seriously received in the USSR.

4. Finally Mr. Austin, again with references to his connections with Mr. Laing and Mr. Martin, said that he was quite aware of the security problems and it was his primary objective to obtain the lowest rate for transportation from Coppermine consistent with the security problems.

5. During the conversation, Mr. Austin expressed some knowledge of the visit by the Inco group to Norilsk last year and was of the opinion that visits to Norilsk constituted no problem. Norilsk, Tiksi, Vladivostock and Moscow were mentioned by him as the places that he had asked to visit in the Soviet Union. I informed him that the first three places on his list were all closed areas and visits to them were negotiated only with extreme difficulty. I suggested that if there was a continued interest by his group in visiting the Soviet Union for technological purposes the services of the Canadian Embassy in Moscow were, in our experience, more likely to obtain the desired results. He expressed appreciation for this and said he may be in touch with us further on this aspect.

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6. Throughout the conversation I had on several occasions suggested that it would be desirable if Mr. Austin could visit Ottawa to discuss the full range of the problems with the interested government officials. He said he was indeed anxious to do this because he wanted to ensure that the security aspects and the commercial aspects were appraised in a suitable qualitative manner. However, he suggested that it would be more useful to visit Ottawa when Mr. Annabel returns and he said he would contact me directly about arrangements. He said that he would like to bring Mr. Annabel along with him but I asked to be able to take that aspect under advisement if Mr. Annabel was coming in his capacity for the Soviet Far East Steamship Co."

Asst. Commissioner H.S. Cooper stated that the R.C.M. Police has had trouble with Capt. Mayarov.

Mr. Digby Hunt said some preliminary feasibility studies on the most economic means of moving ore from Coppermine had indicated that shipping via the Arctic Ocean was not necessarily the most economical course.

Mr. Rowley said a representative from the Danish Shipping Lines and Capt. Pullen would be aboard the C.C.G.S. Camsell around Alaska to Coronation Gulf.

The Chairman stated that he did not think that the commercial advantages warrant the compromise of the security involved. He suggested that the Committee go on record and introduced the following resolution:-

"That this Committee sees no advantages in permitting Russian icebreakers or commercial vessels to move through Canadian Arctic Territorial waters to Coronation Gulf."

The Committee approved the resolution, for the guidance of the representatives from External Affairs and the information of the Secretary of State for External Affairs.

(END OF SECRET ITEM)

(c) Satellite Communications

The Chairman stated that the white paper issued by the Department of Industry was good news for the north. The establishment of TV would help to eliminate the feeling of isolation.

Mr. Rowley gave some of the technical details on how satellites would improve northern communications.

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(d) Alert, N.W.T.

The Secretary reported on the recent interdepartmental meeting at which D.N.D. outlined its purpose. Briefly, consideration was now being given to make the D.N.D. installation at Alert a permanent one. Other departments were invited to state their requirements, if any, so that in the planning stages, a co-ordinated approach to its development would be attempted. In addition, D.N.D. wished to reserve an area of 50 sq. miles, which would restrict scientific exploration and development. The Department of Indian Affairs and Northern Development had received this application but had refrained from processing it, on the grounds that all departments with an interest in this area should have an opportunity to state their objections.

(e) Discussion on Arctic Transportation Problems

Mr. Rowley referred to two current studies: the first by the Arctic Institute of North America who have been trying to raise funds for a comprehensive study of northern transportation and to this end had requested a meeting of representatives of departments, where they could be fully briefed. Secondly, there would be a meeting in Ottawa on June 11, between representatives of the U.S. Coast Guard and representatives of the Federal Government interested in northern transportation problems to exchange views.

(f) Radar Stations Closing

The Secretary reported on the closing down of the radar facilities of three Pine Tree stations, Cartwright, Hopedale in Labrador, and St. Anthony's in Newfoundland. Pending a review of the military requirements, the communications' facilities will remain operative.

XII. OTHER BUSINESS

(a) Oil Exploration on the Alaska Coast

Mr. Rowley reported on a major discovery of oil by Atlantic Richfield at Prudhoe Bay 300 miles west of the Mackenzie Delta on the Alaskan coast. The well was producing 1200 barrels per day, which was large by American standards.

Mr. Digby Hunt pointed out that this discovery was in a most favourable geological formation which could be traced east to the Mackenzie Delta and northeast to the area under exploration by Panarctic. It was welcome news.

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(b) Anvil Townsite Progress

Dr. Procter asked about the latest on Anvil townsite.

The Chairman said that discussions on the townsite plan were currently being held in Vancouver with members of the Anvil Company, the Commissioner of the Yukon, and officials of the Department of Indian Affairs and Northern Development. If the plan was acceptable, the Commissioner would request the Legislative Council of the Yukon Territory to hold a special session to pass an ordinance which would empower the Commissioner to borrow funds from the Federal Government in order to implement the townsite plan. The money borrowed would be refundable by the sale of lots.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
June 18, 1968.

ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

MEMORANDUM

MR. R.F. BATTLE

DATE JUN 18 1968

With the Secretary's compliments.

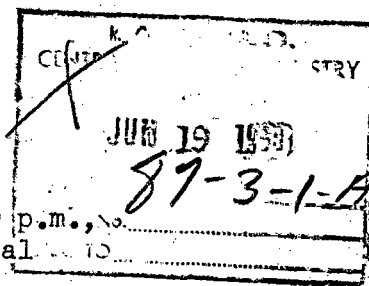
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ADVISORY COMMITTEE ON NORTHERN DEVELOPMENT

The seventy-second meeting of the Committee was held on Thursday, June 6, 1968, at 2:30 p.m., in the 14th floor Conference Room, Centennial Tower, 400 Laurier Avenue West.



PRESENT:

Mr. J.A. MacDonald, Deputy Minister of Indian Affairs and Northern Development

(Chairman)

Mr. G.S. Barry, representing the Deputy Minister of Energy, Mines, and Resources

Mr. W.R. Binks, representing the Deputy Minister of Public Works

Commodore F.B. Caldwell, representing the Chief of the Defence Staff

Asst. Commissioner H.S. Cooper, representing the Commissioner, R.C.M.P.

Mr. M.J. Deacey, representing the Deputy Minister of Defence Production

Mr. R.A. Fleming, representing the Deputy Minister of Finance

Mr. R.L. Gibbs, representing the Secretary to the Treasury Board

Mr. Marcel Guay, representing the Deputy Minister of Manpower and Immigration

Mr. D.W. Henderson, representing the Secretary to the Cabinet

Dr. N.B. Hutcheon, representing the President, National Research Council

Mr. D.A. McDougal, representing the Deputy Minister of Transport

Mr. J.S. Nutt, representing the Secretary of State for External Affairs

Dr. W. Petrie, representing the Chairman, Defence Research Board

Dr. H.A. Procter, representing the Deputy Minister of National Health and Welfare

Dr. K. Rasmussen, representing the Deputy Minister of Agriculture

Mr. L.A.C.O. Hunt, Department of Indian Affairs and Northern Development

(Secretary)

ALSO PRESENT:

Mr. J.R. Atkinson, Department of Indian Affairs and Northern Development

Mr. F.A.G. Carter, Department of Indian Affairs and Northern Development

Major D.E. Davis, Department of National Defence

Mr. C.D. Fogarty, Department of External Affairs

Mr. J.H. Gordon, Department of Indian Affairs and Northern Development

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ALSO PRESENT (Cont'd)

Mr. Digby Hunt, Department of Indian Affairs and Northern Development
Dr. A.H. McPherson, Science Secretariat, Privy Council
Mr. C.L. Merrill, Department of Indian Affairs and Northern Development
Mr. G.W. Rowley, Department of Indian Affairs and Northern Development
Chief Superintendent J.R. Steinhauer, R.C.M.P.
Mr. L.J. Villeneuve, Department of External Affairs

NOT REPRESENTED:

The Chairman, Canadian Section Permanent Joint Board on Defence
Deputy Minister, Department of Fisheries

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I. ALLOWANCES AND OTHER BENEFITS TO SOVIET WORKERS

(Secretary's memorandum, Document ND-452, distributed March 1, 1968).

The Chairman explained that this document had been circulated for information purposes only; it represented an amplification of a previous document, ND-449, distributed December 1, 1967.

The Committee noted the report.

II. FURTHERING EMPLOYMENT OF NORTHERN RESIDENTS
IN FEDERAL DEPARTMENTS AND AGENCIES

(Secretary's memorandum, Document ND-453, distributed March 15, 1968).

The Chairman explained that the document had been circulated as a follow-up to document ND-431. If approved, it would enable departments operating in the north to draw on a pool of apprentice positions to ensure that local northern residents had an opportunity to learn a basic skill and thus become eligible to fill a position in the north.

Mr. D.A. McDougal pointed out that many positions in the D.O.T. required high technical qualifications. While the Department of Transport concurred in the philosophy of this document, the Department could not sacrifice qualifications, in order to employ local residents.

Dr. H.A. Procter said, many positions in the Department of National Health and Welfare required specialized skills, but he looked forward to increased employment of northern residents as educational opportunities expanded in the north.

Mr. W.R. Binks stated that the Department of Public Works agreed with the recommendations outlined in the document, and believed that the second recommendation would go a long way towards enabling departments to accelerate training of those at present unskilled or semi-skilled.

Mr. G.S. Barry pointed out that the majority of the positions available in the Department of Energy, Mines, and Resources, required a minimum of a university degree. Many of those employed on a seasonal basis were students using their summer jobs to acquire material for their theses.

Mr. M. Guay said that the Department of Manpower and Immigration was responsible for the occupational training of adults, but they had only one office in the N.W.T. at Yellowknife, where they had staff difficulties. They had a working arrangement with Indian Affairs and Northern Development.

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The Chairman pointed out that federal contracts contained a clause specifying the use of local labour where possible, but contractors must have some degree of latitude so that they can import labour when skills are not available locally. The effectiveness of this clause might be enhanced by departmental field representatives working closely with the contractor.

The Committee recommended that:

- (1) approval be given to the various methods of training outlined in document ND-453 and departments will avail themselves of the opportunities offered, and
- (2) the Department of Indian Affairs and Northern Development propose to Treasury Board a pool of apprenticeship positions under the administration from which operating departments in the north can draw upon as required, on the understanding that salaries required for apprentices would be absorbed by the employing department while all other expenses would be absorbed by the Department of Indian Affairs and Northern Development.

III. YUKON TRANSPORTATION STUDY

(Secretary's memorandum, Document ND-454, distributed March 21, 1968).

The Chairman noted that this report summarized a more comprehensive study conducted by Travacon Research Ltd. It had been circulated for information only.

Mr. McDougal stated that the Department of Transport was most interested in this study and that it would be examined closely.

The Committee noted the report.

IV. D.O.T. NORTHERN WEATHER STATIONS

(Secretary's memorandum, Document ND-455, distributed March 21, 1968).

Mr. McDougal explained that the Department of Transport had requested the circulation of this document. There had been occasions in the past when expensive relocations had taken place because of the lack of proper co-ordination in settlement planning.

The Committee noted the report.

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V. PROPOSAL TO ESTABLISH AN "AD HOC"
COMMITTEE ON CONSTRUCTION

(Secretary's memorandum, Document ND-456, distributed May 24, 1968).

The Chairman noted that the Sub-Committee on Construction had recommended its dissolution, and the co-ordinating function for a large portion of the federal building program in the Territories was being dealt with by a committee in Edmonton. However, the sub-committee had other terms of reference which could not be overlooked and this concerned the broad technological and scientific review of northern construction, methods and materials. Furthermore, the Edmonton committee confined its operations to a Department of Public Works' region, which did not cover all the N.W.T. Perhaps a further sub-committee for the co-ordination of federal construction in Arctic Quebec and the Franklin District of the N.W.T. was needed.

Dr. N.B. Hutcheon said the suggested "ad hoc" committee and the proposed terms of reference were of special interest to the Building Research Division of the National Research Council.

The Chairman explained that Dr. R.F. Legget, of N.R.C., had consented to chair such a committee and if the proposal were acceptable, departments would be requested to designate their representatives.

Mr. McDougal stated that the Department of Transport supported the proposals; but this committee should give consideration to establishing a co-ordinating committee on construction for the Eastern Arctic and Arctic Quebec.

Dr. Procter stated that the proposals were satisfactory to the Department of National Health and Welfare.

The Chairman noted that the Committee accepted the proposal to establish (a) an "ad hoc" sub-committee to study the scientific and technological aspects of northern construction; (b) that the committee in Edmonton would maintain liaison with A.C.N.D. through the Secretary; and (c) a co-ordinating committee for the Eastern Arctic be established and the departments concerned be requested to nominate their representatives to both committees.

VI. SEARCH AND RESCUE PROCEDURES

(Secretary's memorandum, Document ND-457, distributed May 8, 1968).

The Chairman explained that because of certain administrative problems which arose last winter in connection with the rescue of two Eskimos from an ice floe in Hudson Bay, the Department of National Health and

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Welfare had suggested this paper, as a means of ensuring a full knowledge of the procedures for search and rescue.

The Secretary noted that since the paper had been circulated, some changes in terminology would be necessary because of the Canadian Forces Reorganization Act, which came into force on February 1st, 1968.

Commodore F.B. Caldwell stated the document was acceptable to the Department of National Defence with the appropriate changes in terminology.

Dr. Procter agreed that this was a useful document.

Mr. McDougal said the document reflects the views of the Department of Transport.

The Committee noted the report and instructed the Secretary to reissue it with the changes required as a result of the reorganization of the Armed Forces.

VII. SUB-COMMITTEE REPORT ON
GROUND EFFECT MACHINES

(Secretary's memorandum, Document ND-458, distributed May 3, 1968).

The Chairman explained that the trials of the Hovercraft SRN 6 at Churchill completed the work of the sub-committee. The D.O.T. Interdepartmental Committee on Air Cushion Vehicles had taken over any further responsibilities for developing this form of transport.

Mr. McDougal stated that the Department of Transport had now taken delivery of an SRN 6 and it would be used on the West Coast as part of the Coast Guard service and given extensive trials.

Mr. G.W. Rowley mentioned the French version of an Air Cushion Vehicle, i.e. the Bertin terraplane which interested departments wanted to test. A suitable location to hold field trials was being negotiated; tests would also be conducted at the L.E.T.E. proving grounds near Ottawa.

The Committee noted and approved the sub-committee's report on Ground Effect Machines.

VIII. CANADA AND E.C.E.

(Secretary's memorandum, ND-459, distributed May 10, 1968).

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The Chairman explained that this document had been circulated at the request of the Department of External Affairs. Some departments had already forwarded their comments, but an expression of opinion from the Committee would enable External Affairs to judge the issue other than in a political context. In brief, what were the options open to Canada in participating with E.C.E. on scientific matters involving the Arctic.

Mr. J.S. Nutt said that the U.S. had first raised this subject with External Affairs. Should Canada agree to participate, an official invitation would probably result. At some point it might be appropriate to seek Cabinet approval. However, External Affairs could foresee advantages by establishing additional links with Europe. On the other hand, existing bilateral relations, such as those with the U.S.S.R., might be eroded.

Mr. McDougal said insofar as the Department of Transport was concerned meteorology was already covered by Canada's membership in the W.M.O. Similar co-operation also existed in oceanography through membership in the International Oceanographic Commission.

Mr. Barry believed that exchange of information on northern resources was the subject of a sub-committee of U.N.E.S.C.O. It was undesirable to duplicate or complicate existing international arrangements. Dr. Roots had some reservations and mentioned in particular the U.N.E.S.C.O. conference on resource planning for the Biosphere which would meet in September. One aspect of this conference would deal with "Northern High Latitude Regions".

Commodore Caldwell accepted the principle of information exchange of this kind, but questioned whether Canada's participation in E.C.E. could lead to pressure for information involving sensitive areas of the north and continental defense.

Mr. Nutt said the U.S. would hold the same security views as Canada. In seeking an objective response to the U.S., it might be advisable to set down the advantages and disadvantages of this proposal.

The Chairman said, while the response was generally favourable, a small "ad hoc" committee consisting of representatives from External Affairs, D.N.D., D.O.T., R.C.M. Police, might look into all facets of this problem. Mr. J.H. Gordon as Chairman, and Mr. G.W. Rowley would represent the Department of Indian Affairs and Northern Development.

The Committee approved the establishment of an "ad hoc" committee under the chairmanship of Mr. J.H. Gordon to study in depth the question of Canada's participation in E.C.E.

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IX. EXPEDITIONS TO THE POLAR BASIN

(Secretary's memorandum, Document ND-460, distributed May 10, 1968).

The Secretary explained that at the 71st meeting of the Committee, he had been instructed to amend and revise the regulations approved at the 69th meeting, concerning expeditions to the Polar Basin. These amendments were set down with relevant comments from those departments who had a slightly dissenting viewpoint. It was now necessary to consolidate them into a firm document.

Mr. Digby Hunt mentioned licences were issued for mineral exploration work in the Polar Basin, and any conflict in regulations should be avoided.

The Chairman suggested a clause by clause reading.

Section (a) approved as in the original text.
Section (b) approved with addition of new paragraph.
Section (c) approved with new amendment submitted by Dr. Procter
which now reads:-

"Evidence must be provided to satisfy the Department of National Health and Welfare that each member of the expedition is in satisfactory physical condition. This would include a report of complete medical examination, including the report of a psychiatric examination and dental examination, chest x-ray, and in the case of any member over 35 years of age a recent electrocardiogram. These reports should be forwarded to Northern Health Service, Department of National Health and Welfare, Ottawa, sufficiently in advance to allow for appraisal and the submission of additional information if this is considered advisable."

Section (d) approved as in original text.
Section (e) approved as in original text.
Section (f) approved as in original text.
Section (g) with respect to the objections of Department of National Defence the approved section (g) now reads:-

"The sponsorship of financial and other support for any expedition must be clearly detailed and set out. In the case of all expeditions, adequate evidence must be produced of prearranged and prefinanced contracts with reliable commercial operators for en route supply and emergency flights, as may be required."

Section (h) approved but the words "or Legation" be omitted. There are no foreign legations in Ottawa.

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Procedures

- Section (a) approved. The suggested amendment proposed by Department of National Defence was not accepted.
- Section (b) approved as in the original text.
- Section (c) approved as in the original text.
- Section (d) not approved as now considered irrelevant.

The Committee approved the changes in the regulations on expeditions to the Polar Basin and the Secretary was instructed to issue a new document incorporating the approved amendments.

X. APPLICATION OF CANADIAN TAXES
ON D.E.W. LINE SUPPORT

(Secretary's memorandum, Document ND-461, distributed May 17, 1968).

The Chairman explained that an impost of 15.25% was payable to the Department of Revenue for all or any goods purchased from D.E.W. Line sources.

The Committee noted the document.

XI. ITEMS OF INTEREST

(a) Panarctic

Mr. Digby Hunt reported, the present sphere of activity in the Marie Bay area of Melville Island. The past months had been devoted to organizing massive logistic support, which was proceeding with the co-operation of D.O.T. Some of this co-operation involved the trials of the Alexbow, one of which will be fitted to a barge and tested during the summer off the coast of Melville Island. Panarctic was undertaking an extensive seismic survey of Melville Island, using heli-lift drills and portable camps. It was hoped to commence drilling next winter. Because of the interest in this venture, members were invited to attend a seminar on Thursday, June 27, in this Conference Room, where officials from Panarctic would brief government officials of this project.

(b) Soviet Shipping in Canadian Waters (SECRET)

Mr. Nutt gave a resumé of the "ad hoc" committee which had met to consider this problem. One of the conclusions concerned the reaction of the U.S. to the proposal. The U.S. reply now received was as follows:-

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"Following is text of aidememoire received from office of CDN Affairs relating to use of Soviet shipping in CDN Arctic. Text begins:

The Dept. of State has given consideration to the CDN Embassy note verbale of May 17/68 concerning the possible use of a Soviet icebreaker or of Soviet ore carriers in exploiting ore deposits in the vicinity of Coppermine, N.W.T.

Passage of such vessels through USA Territorial seas along the coast of Alaska would presumably constitute innocent passage, which is protected under international law. While the USA is concerned over certain security aspects of the travel of a Soviet vessel along the northern coast of Alaska and the northern coast of CDA to Coppermine, and would, therefore, desire that necessary precautions be taken, the grounds for concern do not/not appear sufficient to justify preventing passage of the vessel through the waters in question.

The Dept. considers that under international law USA vessels are entitled to equivalent privileges in Soviet Territorial seas. While there have been difficulties in the past over attempted transits by USA vessels through Soviet-claimed Territorial seas, the Dept. considers that these difficulties do not/not at this time suggest the advisability of placing an obstacle to the passage of the Soviet vessels.

The Dept. of State believes that the security interests of the two countries in the area in question are such that continued consultation on this subject is desirable as the CDN Govt. reaches its decision. Text ends."

Mr. Nutt did not think this constituted a satisfactory reply, particularly since a further exchange of information occurred as recently as June 5 and 6, and the following represents conversations on the same subject with officers of External Affairs and Captain Pullen and Mr. Austin on behalf of the Murray Watts group.

" At Mr. Marshall's request I contacted Capt. Pullen in the evening of June 5 to enquire about the status of this proposal. Capt. Pullen informed me that as far as he was concerned, as the shipping consultant for the Murray Watts group, the issue was stillborn and he assumed that the suggestion that a technical group would visit the Soviet Union in the near future, as suggested in Moscow's recent telegram, was based on old and outdated information.

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I had occasion, however, to speak to Mr. Pullen again later that evening and in the interim he had had some conversation with both Murray Watts and Mr. Austin and was able to tell me that the position was in fact more complex than he had earlier indicated. He undertook to clarify the situation further June 6 with both Mr. Watts and Mr. Austin and to advise me of the situation prior to noon.

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- (b) The Soviet Commercial Counsellor, Tchentchikovsky, had been informed by Austin of this approach by Mayarov and also that it would take some time to discuss the matter fully with the Canadian Government. Nevertheless, Austin proposed to Tchentchikovsky an exchange of delegations with a 15th of May deadline for resolution of the points to be visited in the Soviet Union. On the 18th or 19th of May Tchentchikovsky informed Austin with the regrets of the whole Embassy that no response had been received and Austin is still awaiting a response.

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- (c) Robert Annabel, described as a solid Canadian citizen, who has had considerable dealings with Soviet steamship freight agencies in shipping of logs from the West Coast to Japan, has recently been appointed as the agent for the Soviet Far East Steamship Co. and his current visit to Moscow is intended to pursue further the promotion of Soviet participation in the Coppermine project in discussions with Sovfracht. He is expected to return to Canada shortly, and while there is some realization on Austin's part that the commercial advantages of using Soviet ships may be limited, he is awaiting Annabel's report to see what degree of interest the Soviet side is maintaining in this proposal.

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"That this Committee sees no advantages in permitting Russian icebreakers or commercial vessels to move through Canadian Arctic Territorial waters to Coronation Gulf."

The Committee approved the resolution, for the guidance of the representatives from External Affairs and the information of the Secretary of State for External Affairs.

(END OF SECRET ITEM)

(c) Satellite Communications

The Chairman stated that the white paper issued by the Department of Industry was good news for the north. The establishment of TV would help to eliminate the feeling of isolation.

Mr. Rowley gave some of the technical details on how satellites would improve northern communications.

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(d) Alert, N.W.T.

The Secretary reported on the recent interdepartmental meeting at which D.N.D. outlined its purpose. Briefly, consideration was now being given to make the D.N.D. installation at Alert a permanent one. Other departments were invited to state their requirements, if any, so that in the planning stages, a co-ordinated approach to its development would be attempted. In addition, D.N.D. wished to reserve an area of 50 sq. miles, which would restrict scientific exploration and development. The Department of Indian Affairs and Northern Development had received this application but had refrained from processing it, on the grounds that all departments with an interest in this area should have an opportunity to state their objections.

(e) Discussion on Arctic Transportation Problems

Mr. Rowley referred to two current studies: the first by the Arctic Institute of North America who have been trying to raise funds for a comprehensive study of northern transportation and to this end had requested a meeting of representatives of departments, where they could be fully briefed. Secondly, there would be a meeting in Ottawa on June 11, between representatives of the U.S. Coast Guard and representatives of the Federal Government interested in northern transportation problems to exchange views.

(f) Radar Stations Closing

The Secretary reported on the closing down of the radar facilities of three Pine Tree stations, Cartwright, Hopedale in Labrador, and St. Anthony's in Newfoundland. Pending a review of the military requirements, the communications' facilities will remain operative.

XII. OTHER BUSINESS

(a) Oil Exploration on the Alaska Coast

Mr. Rowley reported on a major discovery of oil by Atlantic Richfield at Prudhoe Bay 300 miles west of the Mackenzie Delta on the Alaskan coast. The well was producing 1200 barrels per day, which was large by American standards.

Mr. Digby Hunt pointed out that this discovery was in a most favourable geological formation which could be traced east to the Mackenzie Delta and northeast to the area under exploration by Panarctic. It was welcome news.

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(b) Anvil Townsite Progress

Dr. Procter asked about the latest on Anvil townsite.

The Chairman said that discussions on the townsite plan were currently being held in Vancouver with members of the Anvil Company, the Commissioner of the Yukon, and officials of the Department of Indian Affairs and Northern Development. If the plan was acceptable, the Commissioner would request the Legislative Council of the Yukon Territory to hold a special session to pass an ordinance which would empower the Commissioner to borrow funds from the Federal Government in order to implement the townsite plan. The money borrowed would be refundable by the sale of lots.

L.A.C.O. Hunt,
Secretary.

Department of Indian Affairs
and Northern Development.
June 18, 1968.