



Remarks By

**Rt. Hon. Herb Gray,
Chair, Canadian section**

Why We Celebrate A Hundred years of the BWT

**International Joint Commission
Of Canada and the United States**

On the Rainbow Bridge

Secretary Clinton, Minister Cannon, distinguished guests.

We celebrate a hundred years of the Boundary Waters Treaty whose low profile reflects its success.

I think it is fair to say that the Boundary Waters Treaty is one of the longest - if not the longest - continuously functioning agreements of its kind.

Water and water rights have always been important issues in the relationship between what was then British North America (now Canada) and the new United States since the treaty of Peace in 1783.

This Treaty recognized that each party had jurisdiction over waters on its own side of the border. During the following century, Great Britain and the United States concluded several treaties which included provisions relating to the use of water flowing along or across the boundary, particularly for navigation. Yet in spite of these treaties, and the establishment of different non permanent commissions to resolve individual disputes over shared waters by the early 1900's, differences about the sharing of these waters, which make up about 40% of the boundary was a source of rising tension between the two countries.

Our two nations didn't celebrate the Centenary of those earlier treaties. So why are we are doing so today for the Boundary Waters Treaty.

One point is that the BWT was the first to deal with the modern concept of pollution and included the prohibition that one country was not to create pollution to the harm of health and property of the other. But it's not only for being first that the BWT should be recognized and hailed. Instead this should be because it's actually still a working treaty a hundred years after being signed and because it created the International Joint Commission - a very active body. It is a treaty that has withstood the stresses of time and proved to be a document, that is still as relevant today as when it was signed. Yes, that is why we celebrate.

The IJC has resolved over a hundred disputes in a hundred years using the principles of the treaty.

You might wonder just how big these disputes could have been without the Treaty.

So I would put forth the view that what we are really celebrating are the underlying principles of the treaty that lead to its success: equality between our two countries, common agreement on facts, and the use of the best available scientific information to inform discussion and common decision making by a binational Commission independent of government.

But of course another reason the treaty has worked is that many men and women over the past 100 years have worked hard to make it so - both Commissioners and staff.

The truth is that it has worked because the treaty articulated several principles to share the waters of our two great nations and not solutions – except in two specific cases - recognizing that circumstances and the nature of disputes would change due to vagaries of geography or time. A good set of principles in the treaty– based on equality between two countries- and prohibitions of harm to health and property – could provide the tools for capable men and women to work out solutions to disputes – or solutions to prevent disputes – solutions that would stand over time as they would be seen to be just and fair.

Nous célébrons ces principes qui furent négociés entre nos deux pays il y a plus de 100 ans, principes qui servent à guider nos relations de ce jour, et que nous espérons continueront à nous guider à l'avenir ainsi qu'en temps moins opportuns.

We celebrate that 100 years ago these principles were negotiated for our two nations and they still guide our relations now regarding sharing fresh waters and will hopefully continue to do so for the foreseeable, and dare I say the unforeseeable future.

For as long as we have shared fresh waters – waters to share – we will need this treaty!