The Columbia River Treaty and Local Interests: A Shared Responsibility **Appendix C: Sources**

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- Susskind, Lawrence E. et al. *International Environmental Treaty Making*. (Program on Negotiation, Harvard Law School, 1992).⁴
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² Resource on the topic of representation and participation in international environmental treaties.

³ Resource on topic of representation and participation in international environmental treaties.

⁴ Resource on topic of representation and participation in international environmental treaties.

⁵ Excellent resource for U.S. Treaty Practice and government documentation.

⁶ An excellent resource for researching treaties (international agreements) that Canada has entered into with other nations.

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- 15. <u>Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations</u> (1986), UN Doc. A/CONF.129/15. https://treaties.un.org/doc/source/docs/A_CONF.129_15-E.pdf, (accessed November 20, 2016).⁹

Columbia River Treaty

16. Bankes, Nigel and Barbara Cosens. "The Future of the Columbia River Treaty." Program on Water Issues, Munk School of Global Affairs at the University of

⁷ An authoritative source on the international law of transboundary watercourses.

⁸ Authoritative source of International Law outlining the law of treaties. Article 2(1)(a) of the VCLT defines a treaty as: "...an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation".

⁹ International agreement that allows non-governmental international organizations to enter into agreements with each other and/or States. Note as of November 2016 this agreement is not yet in force. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&clang="en#1">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXIII-3&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&chapter=23&

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¹⁰ A great source providing an excellent overview of the bilateral treaty practice between the USA and Canada respectively and laying out the current and possible future Columbia River Treaty against the backdrop of this bilateral practice and international norms.

¹¹ A superb and in depth discussion of the legal mechanisms for flexibility and adaptive capacity in transboundary water agreements looking at existing models from both the international and domestic level, some of which are the same as the case studies in the current project of the LGC looking at local government involvement in transboundary water agreements. An excellent source.

12 A valuable resource regarding the creation of the CBT and the commitment of the B.C. Provincial

government to the people of the Columbia River Basin.

13 Outlines the key interests identified by the Columbia River Treaty Local Governments Committee.

¹⁴ Excellent resource discussing the modernization of Columbia River Basin governance.

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¹⁵ A detailed and in depth analysis of the potential involvement of indigenous peoples in future negotiations and operations of the Columbia River. Covers a variety of in depth case studies. Highly relevant to the involvement of other non-state actors in the future operations and negotiations of the Columbia River and similar international scenarios.

¹⁶ Text of CRT.

¹⁷ An excellent overview of the CRT and local interest involvement.

¹⁸ "**At the start** - Both First Nations and fisher folks were included in the negotiation delegations for both countries - resulting in 60 person delegations on both sides, which was unwieldy.

In the end - There was a 3 person negotiation delegation - Don and 2 federal fisheries personnel. There was very little consultation with First Nations or fishers as the process evolved to a reporting relationship. This resulted in resentment from the First Nations in particular".

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- 46. Shepard, M.P. and A.W. Argue. <u>The 1985 Pacific Salmon Treaty: Sharing Conservation Burdens and Benefits</u>, UBC Press. http://www.ubcpress.ca/books/pdf/chapters/sheparg.pdf, (accessed February 3, 2017).²⁵

¹⁹ An excellent discussion of federalism and the Pacific Salmon Treaty by one of the participants on the American side for over 20 years outlining the importance of incorporating Tribes and State Governments. ²⁰ Overview of the Pacific Salmon Treaty and its updates from the Canadian Department of Fisheries, also a helpful jumping off point for related contact information and links.

An overview of the Columbia River Treaty how and why it should be amended and who should be involved in the negotiation provides examples of other agreements such as the Pacific Salmon Treaty.

Excellent discussion of the negotiations of the 1999 Pacific Salmon Treaty by Canada's chief negotiator during the process.

²³ Excellent overview of the conflict, negotiations and eventual pacific Salmon Treaty.

²⁴ Website for the Pacific Salmon Committee, an international decision making organization representing the interests of commercial and recreational fisheries as well as federal, state and tribal governments within the framework of the Pacific Salmon Treaty. An excellent website with lots of resources and description of the Committee, regional panels, membership and organizational structure, as well as the history of the Pacific Salmon Treaty.

²⁵ An in depth overview of the 1985 Pacific Salmon Treaty and the negotiations which lead to it.

- 47. Sunny Knight. "Salmon Recovery and the Pacific Salmon Treaty." 27 ECOLOGY LAW QUARTERLY 885, (2000). 26
- 48. Treaty Between the Government of Canada and the Government of the United States of America Concerning Pacific Salmon, Amended as of May 16, 2014, Can.-U.S., January 28, 1985. http://www.psc.org/publications/pacific-salmon-treaty/, (accessed January 28, 2017).²⁷
- 49. Williams, Austin. "The Pacific Salmon Treaty: A Historical Analysis and Prescription for the Future." JOURNAL OF ENVIRONMENTAL LAW & LITIGATION 153 (2007).²⁸

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²⁸ Excellent overview of the Pacific Salmon Treaty and its history including political background, also a good overview of challenges facing the regime for instance equity interception fisheries. Does not talk much about local or aboriginal involvement.

²⁶ An older source that provides a decent description of the Pacific Salmon Treaty and problems in the communication of various stakeholders.

²⁷ Text of Pacific Salmon Treaty as Amended May 16, 2014.

²⁹ Good Description of the Prairie Provinces Water Board and who is on it. No indication from this website of local government involvement other than provincial governments.

³⁰ Useful access point for the 1969 Master Agreement and subsequent amendments, although no indication of local government involvement from this website.

³¹ Synthesis and key findings of year-long public review, representing a broad spectrum of local interests, of the Great Lakes Water Quality Agreement. Also provides illustration of review process and participants. ³² "Binational net is a collaboration between the <u>United States Environmental Protection Agency</u> and Environment and Climate Change Canada to provide a single window on joint work undertaken by the

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Governments of the United States and Canada in support of achieving the purpose of the Great Lakes Water Quality Agreement". A great official resource and an excellent portal for other resources.

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³³ List of members of the Great Lakes Executive Committee.

³⁴ Terms of reference including membership/observer parties to the Great Lakes Executive Committee. ³⁵ Founded in 2003 it is a bi-national coalition of over 127 U.S. and Canadian mayors and local officials working to advance the protection and restoration of the Great Lakes and St. Lawrence River, with an integrated environmental, economic and social agenda. Participating in a number of Great Lakes basinwide organizations.

³⁶ Text of Great Lakes Water Quality Agreement of 1972.

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³⁸ Resource for Great Lakes Science Advisory Board that functions in an advisory capacity. Portals to research and membership of committees.

³⁹ Overview and details of the Great Lakes Water Quality Agreements and access to copies of the text of the various agreements.

⁴⁰ Website of the Great Lakes Water Quality Board which was established as the principal advisor to the IJC regarding the Great Lakes Water Quality Agreement.

⁴¹ List of members of the Great Lakes Water Quality Board.

⁴² Text of Great Lakes Water Quality Agreement of 1987.

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