



COMPENDIUM OF CANADA'S ENGAGEMENT IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS AND INSTRUMENTS

Treaty between Canada and the United States of America Concerning the Diversion of the Niagara River

SUBJECT CATEGORY:

Freshwater

TYPE OF AGREEMENT / INSTRUMENT:

Canada – United States

FORM:

Legally-binding treaty

STATUS:

- Signed February 27, 1950
- Entry into force October 10th 1950

LEAD & PARTNER DEPARTMENTS:

Global Affairs Canada, Environment and Climate
Change Canada

FOR FURTHER INFORMATION:

Web Links:

- [Treaty Text](#)
- [IJC website](#)

Contacts:

[ECCC Inquiry Centre](#)

COMPENDIUM EDITION:

January 2020

PLAIN LANGUAGE SUMMARY

This legally binding treaty between Canada and the United States outlines some of the agreed-upon rules for the Niagara River on the border of the two countries. Entered into force in 1950, the governments of Canada and the US set up a committee that oversees the water flow over the Niagara Falls for display purposes, as well as determines the amount of water available for generating power. The committee reports to both countries' government and is comprised of government and private sector interests, such as Ontario Power Generation. This agreement is crucial to preserving the beauty of the Niagara River for both countries to enjoy as well as to manage the quantity of the river flow appropriately.

OBJECTIVE

The agreement specifies the minimum amount of water that must flow over Niagara Falls for scenic purposes, and provides for the equal division of waters made available for power purposes.

KEY ELEMENTS

The International Niagara Committee was set up by the governments of Canada and the United States by an exchange of notes during January 1955, in accordance with provisions of Article VII of the Niagara Treaty of 1950 between the two countries.

The committee reports to Global Affairs Canada and the State Department in the United States.

The committee usually meets twice a year, with the meetings attended by representatives of the U.S. Army Corps of Engineers, Ontario Power Generation, the New York Power Authority, the St. Lawrence Seaway Management Corporation, the U.S. Federal Energy Regulatory Commission, and the Ontario Ministry of Natural Resources.

EXPECTED RESULTS

The preservation and enhancement of the scenic beauty of Niagara Falls and the Niagara River, while providing for the most beneficial use of the river waters.

CANADA'S INVOLVEMENT

Environment and Climate Change Canada provides the Canadian member of the International Niagara Committee, appointed through an order in council.

Environment and Climate Change Canada also provides secretarial, technical and engineering support to the Canadian member in the form of an on-site representative, hydrometric support to quantify flows over Niagara Falls and in the Welland Canal, and the conduct of weekly inspections to verify determination, recording, and reporting of water use and allocation under the terms of the treaty.

RESULTS / PROGRESS

Activities

The primary functions of the committee are as follows:

- to ascertain, determine, and record the amounts of water available for the purpose of the treaty;

- to record the amounts of water taken from the Niagara River and Welland Ship Canal for hydro-electric power generation by both countries;
- to ensure that the amount of water flowing over Niagara Falls meets the requirements specified in the treaty;
- to investigate, explain, and report on the causes of any treaty violations;
- to inspect the power plants to ensure accurate determination of water diversions.

Reports

A report is submitted to the Canadian and United States governments annually. It is available to the public upon request.