

-Secondly, Canada maintains that an equidistance boundary for Georges Bank is consistent with the distance principle as the legal basis of title to the 200-mile zone. This point is of fundamental importance. From the Court's reasoning with regard to the Continental Shelf in the 1982 Tunisia-Libya Case, it is clear that the principles and rules of international law that may be applied for the delimitation of exclusive economic zones must be derived from the concept of the exclusive economic zone itself, as understood in international law. (I.C.J. Reports, paragraph 36). The distance principle figures among the most important elements of this concept, and it provides an essential frame of reference for a truly juridical delimitation of a single Maritime boundary.

-Thirdly, Canada maintains that its much greater economic dependence on the fisheries of the disputed area of Georges Bank represents a relevant factor and an equitable consideration to be taken into account by the Court. The legal relevance of this consideration again flows from the very concept of the exclusive economic zone. Unlike the continental shelf, the exclusive economic zone is not terra incognita or terra deserta. It is, in a sense, inhabited by the fishermen of the coastal state--and especially by the fishermen of southwest Nova Scotia within the disputed area in the present case. Its resources are known and exploited. They support established patterns of fishing that may be of vital importance to adjacent coastal communities. This is certainly true of the fishery resources of Georges Bank in relation to southwest Nova Scotia, far beyond any comparison with the situation in Massachusetts.

-Fourthly, Canada maintains that the history of the dispute provides further support for the Canadian Claim. International law seeks to uphold stability and good faith in relations between states. It recognizes too that the best indication of an equitable result in a Maritime boundary delimitation may come from the conduct of the parties themselves. And the conduct of the parties, over many years, in fact demonstrates their acceptance of equidistance as the proper basis for an equitable result. An equidistance boundary for Georges Bank is thus the only boundary that can satisfy these tests of law and equity.

Mr. President, whatever may be the advantages or disadvantages of equidistance, it has never before been described as an *ex aequo et bono* method of delimitation. Yet the United States attempts to present Canada's claim in this light. The reason is clear. The United States seeks to make a virtue of the fact that its own claim incorporates