

CHAPTER 8 INTERNATIONAL LAW

Highlights

- Canada allows U.S. Coast Guard icebreaker to navigate Northwest Passage.
- Canada and France submit two written pleadings to an ad hoc court in Canada-France maritime boundary arbitration.
- Canadian legal opinion important in UN Security Council deliberations during Persian Gulf crisis.
- Legislation allows Canada to ratify the 1977 Protocols of the Geneva Convention.
- New treaty publication system speeds response to inquiries.



Ambassador Yves Fortier at the Security Council

THE ARCTIC

On September 7, 1990, the Government of Canada consented to a U.S. request to have the U.S. Coast Guard icebreaker *Polar Sea* navigate the waters of the Northwest Passage. This was the

third such request since the 1988 Canada-U.S. Arctic Cooperation Agreement which requires Canadian consent on a case-by-case basis. The *Polar Sea* made its voyage in September 1990.

CANADA-FRANCE MARITIME ISSUES

In accordance with the agreement establishing a Court of Arbitration for the Purpose of Carrying out the Delimitation of Maritime Areas between Canada and France, concluded on March 30, 1989, Canada and France submitted pleadings to the Court on June 1, 1990, and on February 1, 1991. Canada claims that an equitable result in the

maritime boundary dispute is constituted by a delimitation formed by a belt of 12 nautical miles around the French islands of St. Pierre and Miquelon. The French claim is based on a modified equidistance line, encompassing some 14 500 square nautical miles of ocean space.

LAW OF THE SEA

Canada actively participated in the Eighth Resumed and Ninth Sessions of the Preparatory Commission for the International Seabed Authority, and the International Tribunal for the Law of the Sea. These sessions were held in New York in August 1990, and in Kingston, Jamaica, in February and March 1991.

Canada was one of the countries invited to join the UN Secretary-General's informal consultations on ways to resolve contentious issues arising out of the 1982 UN Law of the Sea Convention's seabed mining regime. Canada will continue to participate actively in these consultations with a view to making the Law of the Sea Convention universally acceptable.