

Canada-US boundary established in the Gulf of Maine

A Chamber of the International Court of Justice in The Hague, Netherlands, recently handed down its decision in the case between Canada and the United States concerning the maritime boundary in the Gulf of Maine.

The boundary drawn by the International Court divided both the fishing zones and the continental shelf in the Gulf of Maine area. The decision gave Canada only about half of what it asked for on the bank but it cut the US claim back from the whole of Georges Bank to about 75 per cent.

The bank is rich in fish and perhaps in undersea resources.

Including the exclusive maritime fishing zones under dispute in the case, Canadian officials estimated they had won about 70 per cent of the disputed area.

Secretary of State for External Affairs Joe Clark said that although the full implications for Canada of the court's decision are still being examined, "the boundary confirms Canadian jurisdiction over a substantial part of Georges Bank". He also said that "it assures the maintenance of Canadian fisheries on which the livelihood of many communities in southwest Nova Scotia depends".

Background of dispute

The case centred on a dispute over the rich fishery resources and the potential hydrocarbon resources of Georges Bank, a large detached bank lying seaward of

the Gulf of Maine off the coasts of Nova Scotia and Massachusetts.

The dispute began in 1969 when the United States protested Canada's issuance of oil and gas exploration permits on Georges Bank, and it was expanded in scope in 1977 when the two countries extended their fisheries jurisdiction to 200 nautical miles.

In 1979 the two governments signed a Treaty to Submit to Binding Dispute Settlement the Delimitation of the Maritime Boundary in the Gulf of Maine Area. A Special Agreement annexed to the Treaty was notified to the International Court of Justice on November 25, 1981. It provided for the final determination of the maritime boundary by a five-member Chamber of the Court.

The Chamber was composed of Judge Roberto Ago of Italy, presiding; Judge André Gros of France; Judge Hermann Mosler of the Federal Republic of Germany; Judge Stephen Schwebel of the United States and Judge *ad hoc* Maxwell Cohen of Canada.

Following the submission of three rounds of written pleadings by the two sides, the case was heard by the Chamber in The Hague, from April 2 to May 11, 1984.

In accordance with the terms of the Special Agreement both parties have accepted that the decision of the court is final and binding.

Both the Canadian and US governments

have agreed to implement the court's decision in a smooth and orderly manner. Fishing vessels from both countries were given 14 days from the date of the court's decision, ending at 2400 hours on October 26, to leave the formerly disputed waters which now fall under the exclusive jurisdiction of the other country.

UN representative

Stephen Lewis, former leader of the Ontario New Democratic Party, has been appointed Canada's permanent representative and ambassador to the United Nations, New York.



Stephen Lewis

Accepting the position Mr. Lewis said he wants to make Canada's commitment to the United Nations "come alive". He said he is not going to "indulge in easy denigration of the United Nations".

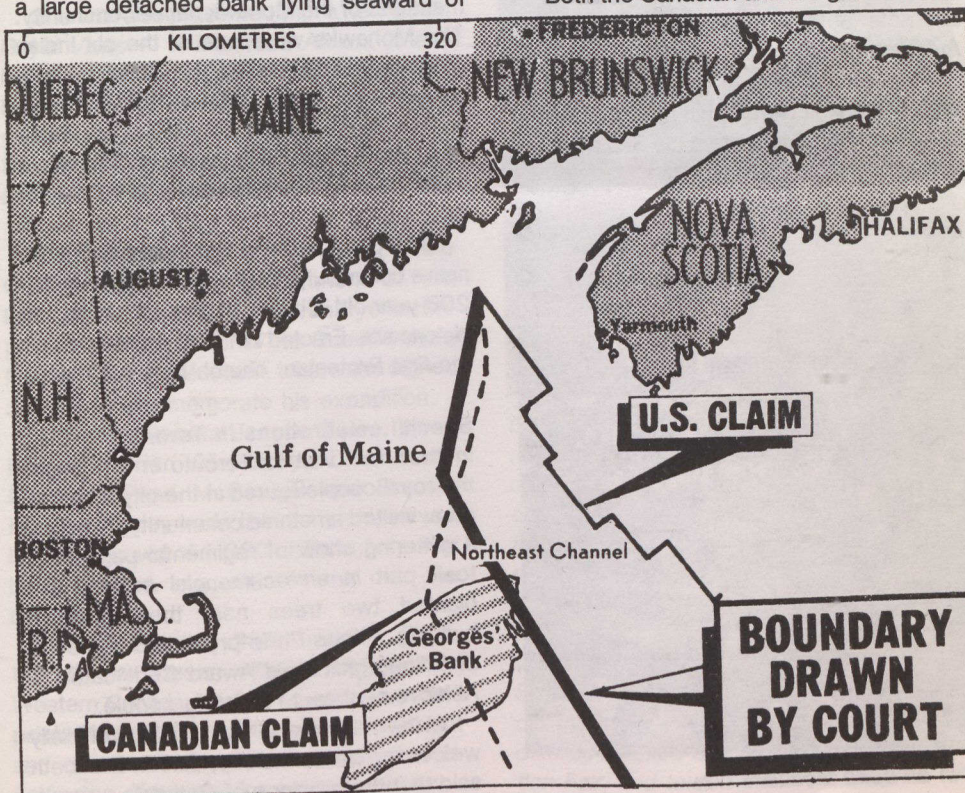
Born in Ottawa on November 11, 1937, Mr. Lewis is the eldest son of the late federal New Democratic Party leader David Lewis and Sophie Lewis. He has led an active career as a politician, broadcaster and writer. He was first elected to the Ontario Legislature in 1963 and was leader of the Ontario New Democratic Party from 1970 to 1978. He became leader of the official opposition in 1975 and held that position until he resigned his seat in 1978.

Mr. Lewis has travelled extensively in Africa and has spoken on international themes on numerous occasions. In the recent past, he has been a noted broadcaster on issues of public concern and worked as a labour arbitrator.

Agreement with Bahamas

A bilateral foreign investment insurance agreement came into force between Canada and the Commonwealth of the Bahamas on September 21, 1984. It was signed by Canadian High Commissioner to the Bahamas David C. Reece and Attorney General and Foreign Minister of the Bahamas Paul Adderley.

Tied directly to the Export Development Corporation's Foreign Investment Insurance Program, the agreement facilitates insurance of investments and is designed to foster increased trade and investment, to the mutual benefit of the two countries.



Bernard Bennell, Globe and Mail