

communities, and both of them conduct wide-ranging fisheries which have generally been centred in areas beyond 3Ps.

Some 8,000 persons are employed in the fishing industry on the south coast of Newfoundland; there are 400 persons at most employed in the fishing industry in St. Pierre and Miquelon. Some 3,000 inshore vessels from Newfoundland are registered in the 3Ps fishery; there are 27 small boats altogether in St. Pierre and Miquelon. Forty-five trawlers from the south coast of Newfoundland and several from Nova Scotia fish the offshore waters of 3Ps; seven trawlers are registered altogether in St. Pierre and Miquelon.

Without question, the economic interests at stake in this arbitration are overwhelmingly Canadian. To the extent that the future of St. Pierre and Miquelon is bound up with the fishery, it is not bound up with 3Ps as such. Rather, it is bound up with the fishing rights the islands enjoy in the Canadian 200-mile zone and the Gulf of St. Lawrence, by virtue of the tradition of accommodation that has marked the fisheries relations of Canada and France. St. Pierre and Miquelon are the present-day beneficiaries of that tradition under the 1972 Fisheries Agreement between Canada and France.

As it is with economic interests, so it is also with interests related to security, navigation, the environment and other fields. The gulf approaches are Canada's front door. Bordered entirely by Canada's coast and Canada's 200-mile zone, they offer access to the great seaway that penetrates 3,500 km into the interior of North America. Canada is necessarily involved in and committed to the area far beyond any possible involvement or commitment by France. That is why the Canadian line leaves France's vital interests undisturbed, while the French claim impinges massively upon Canada's. Where the Canadian line fits within geographic and other realities, the French claim is out of all proportion to any reality.

Mr. President, distinguished Members of the Court, one of the unique features of this case is that France's very deeds of title to St. Pierre and Miquelon enjoin France from encroaching upon the vital interests of Canada. Under the eighteenth-century terms of cession, the islands were not meant to serve as a kind of Trojan horse out of which French claims of aggrandizement might one day come spilling forth. Aggrandizement at another's expense is surely a classic "object of jealousy" in any century. That language conditioned France's title at the outset and should do so now. The concept it embodied is as valid today as it was then.

Another unique feature of this case is that one of the parties has previously committed itself to a different position on the very same subject matter for the purposes of another arbitration.