

As already mentioned, Canada has every reason to encourage seaborne commerce and communications, and passage through international straits is an essential part of these movements. Such passage is of as high importance as well for activities carried out in conjunction with the protection of Canada's security interests. This applies whether these activities are carried out by Canadian vessels or by those of our allies in furtherance of the purposes of collective security. Canada, however, also regards the protection of its maritime environment as a matter of paramount importance. The solution towards which Canada is striving is therefore one which will admit of the minimum form of regulation of transit consistent with the avoidance of damage to the environment.

Canada takes the view that any regime devised for straits used for international navigation would not be applicable to the Northwest Passage since it has not been used for international navigation.

Archipelagoes

Closely related to the straits issue is a concept put forth by the archipelagic states (such as the Philippines, Indonesia and Fiji) which would establish a special legal status for the waters linking the various islands of oceanic archipelagic states, that is, states constituted wholly or mainly of islands as opposed to coastal archipelagic states whose main territory is continental. The archipelagic states would delimit their territorial sea from baselines joining the outermost points of the outermost islands. The waters lying within the baselines would be termed "archipelagic waters" over which the archipelagic state would have complete sovereignty, subject to the right of innocent passage by foreign vessels in sea lanes designated by the archipelagic state.

Canada looks favourably upon the development of the archipelagic waters theory even though it does not apply directly to the Arctic archipelago which is a coastal one; it appears to be a move in the right direction, at least insofar as economic jurisdiction is concerned. Canada appreciates the legitimate concerns of the archipelagic states for their security and for the protection of their particular environment. The thorny issue of transit through straits is of course a major difficulty in this context.