

TREATY BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO SUBMIT TO BINDING DISPUTE SETTLEMENT THE DELIMITATION OF THE MARITIME BOUNDARY IN THE GULF OF MAINE AREA

The Government of Canada and the Government of the United States of America,

RECOGNIZING that they have been unable to resolve by negotiation the differences between them concerning the delimitation of the continental shelf and the fisheries zones of Canada and the United States of America in the Gulf of Maine area,

DESIRING to reach an early and amicable settlement of these differences,

HAVE AGREED as follows:

ARTICLE I

The Parties shall, pursuant to Article 40 of the Statute of the International Court of Justice, notify the Court of the Special Agreement between the Government of Canada and the Government of the United States of America to Submit to a Chamber of the International Court of Justice the Delimitation of the Maritime Boundary in the Gulf of Maine Area annexed hereto. The Chamber of the International Court of Justice shall be deemed to have been constituted when the Registrar of the Court has been notified of the name or names of the judge or judges *ad hoc*.

ARTICLE II

If, for any reason, the Chamber referred to in Article I has not been constituted in accordance with the provisions of this Treaty and the Special Agreement by the end of sixth full calendar month after the date of entry into force of this Treaty, either Party may at any time prior to the constitution of the Chamber, terminate the Special Agreement, whereupon the Agreement between the Government of Canada and the Government of the United States of America to Submit to a Court of Arbitration the Delimitation of the Maritime Boundary in the Gulf of Maine Area annexed hereto shall enter into force. In the event the Special Agreement is terminated the Parties shall jointly notify the International Court of Justice that the proceedings under the Special Agreement are discontinued.

ARTICLE III

If, at any time following the constitution of the Chamber, in accordance with the provisions of this Treaty and the Special Agreement, a vacancy on the Chamber is not filled in a manner acceptable to the Parties within four months of the date on which the vacancy occurred, either Party may within a further two months terminate the Special Agreement, whereupon the Agreement between the Government of Canada and the Government of the United States of America to Submit to a Court of Arbitration the Delimitation of the Maritime Boundary in the Gulf of Maine Area