

Canada is in favour of a reasonable degree of traffic regulation in straits used for international navigation, sufficient for the purposes of security and environmental protection but not so extensive or arbitrary as to interfere unduly with the movement of vessels through those few straits that control access to the seas and oceans and major shipping routes of the world.

In the particular case of the Northwest Passage through the Canadian Arctic, there could be no question of applying any international regime devised for free transit through straits. Canada claims the Northwest Passage as being entirely under Canadian jurisdiction. As it has never been used for international navigation in any real sense, the Northwest Passage cannot be considered an international strait. Accordingly, it could at most be subject to the traditional regime of innocent passage, under Canadian regulation.

Closely related to the straits issue is the matter of oceanic archipelago states. These are states consisting of groups of islands, such as Indonesia, the Philippines and Fiji (as opposed to states, such as Norway and Canada, whose main territory is continental, but also comprises off-lying groups of islands). The oceanic archipelago states wish to define their territorial waters by drawing straight baselines joining the outermost points of the outermost islands and measuring the territorial sea outward from these lines. Within these inner and outer boundaries the archipelago state would have complete sovereignty, subject to the right of innocent passage by foreign vessels along designated sea lanes.

Canada generally looks favourably on this proposal, since it appreciates the legitimate concerns of the archipelago states for their security and the protection of their environment. Again, however, Canada considers that these rights and powers of the archipelago states must be balanced by responsibilities and obligations towards the world community, taking into account the vital need for seaborne commerce and communication.

