

Mr. President, distinguished Members of the Court, it is an honour for me to open these proceedings today on behalf of Canada, and more particularly on behalf of Newfoundland and the fishermen of Newfoundland. For what is in play here touches the very heart of that province and the very life of its fishermen.

Mr. President, distinguished Members of the Court, you have accepted to delimit the areas of maritime jurisdiction appertaining to Canada and to France on North America's Atlantic seaboard, where the islands of St. Pierre and Miquelon lie within the approaches to the Gulf of St. Lawrence. For this, my Government and the Government of the French Republic owe you a debt of gratitude. We have sought to reach an agreed delimitation over the years, but without success. Canada regrets this failure and the need to proceed to arbitration.

At the same time, however, Canada is gratified that the parties appear before you as friends, motivated by the same desire to resolve their differences by friendly means. We are confident that this Court will discharge its high responsibilities "in accordance with the principles and rules of international law applicable in the matter," as the arbitration agreement enjoins you to do.

In the time available to me today, I shall review the highlights of Canada's position in this case. I shall then review the highlights of France's position as Canada understands it, touching on France's depiction of the facts and the law, and on France's representation of Canada's arguments and of Canada itself. Finally, I shall try to place this maritime boundary dispute in the broader context of the relations between Canada and France. The agent for Canada and his colleagues, of course, will develop various themes in greater detail over the next few days.

Mr. President, distinguished Members of the Court, Canada's position in this case is faithful to the law you are asked to apply. It rests on geography, and geography is the bedrock of the law of maritime delimitation. In the evolution of the law through conventions, jurisprudence and state practice, geography emerges as the one constant factor: concrete, objective and permanent.

Other factors may be relevant, but they are always secondary. To determine a maritime boundary in accordance with the law remains largely a matter of giving proper effect to the coastal geography. The goal is equity, the vehicle is law, and the starting point is the coast, which is the basis of title.

A glance at the map tells us that the islands of St. Pierre and Miquelon lie very close to Canada and very far from France. Their coasts are very short and the surrounding Canadian coasts