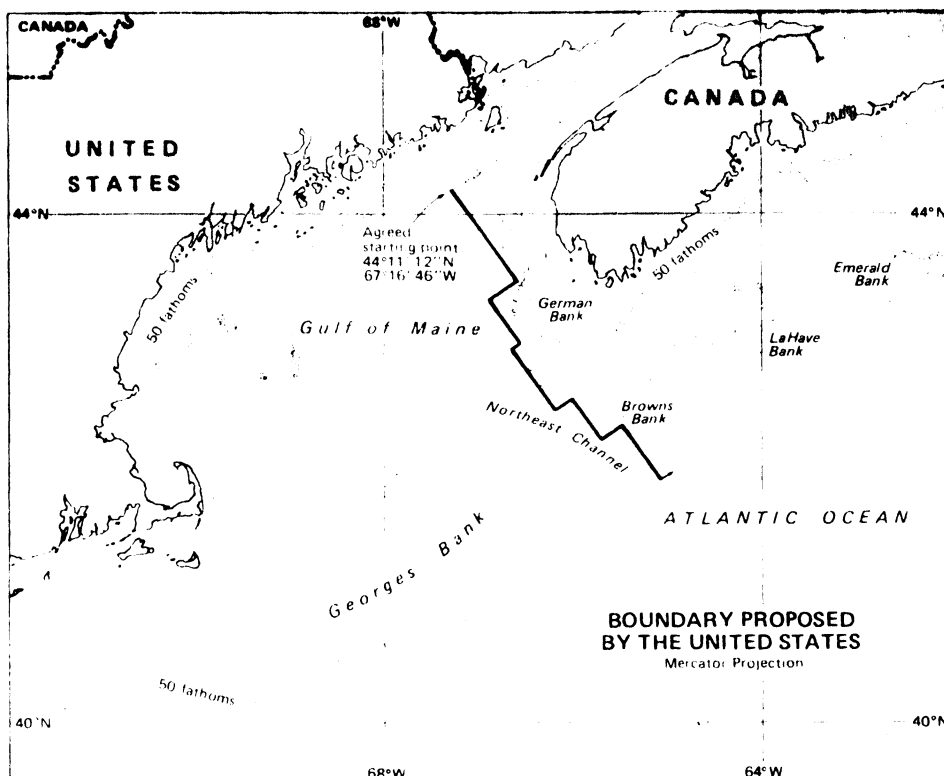


INTERNATIONAL COURT OF JUSTICE - DELIMITATION OF MARITIME BOUNDARY IN THE GULF OF MAINE.

Canada v. U.S.A. *



On June 28, 1983, the United States filed its second written pleading (counter-memorial) with the International Court of Justice (ICJ) in The Hague in the "Case Concerning the Delimitation of the Maritime Boundary in the Gulf of Maine Area" between Canada and the United States. Canada also filed its second pleading on the same date. The first written pleading (memorial) was filed with the Court by both the United States and Canada on September 27, 1982.

The case is before the Court as the result of a boundary settlement treaty between the United States and Canada which entered into force on November 20, 1981. A chamber of five judges has been established by the Court to hear the case. The members of the chamber are Judge Roberto Ago of Italy, as President, Judge Andre Gros of France, Judge Hermann Mosler of the Federal Republic of Germany, Judge Stephen Schwebel of the United States, and Judge ad hoc Maxwell Cohen of Canada.

The Court will establish the single maritime boundary between the two countries that will divide their Continental Shelf jurisdictions and 200-nautical-mile fishery zones in the Gulf of Maine area. That boundary will also delimit the 200-nautical-mile exclusive economic zone of the United States in the Gulf of Maine area. At stake is approximately 15,000 square nautical miles of resource-rich ocean off the New England coast. This Atlantic area includes rich fisheries

developed by the United States on Georges Bank, a site of significant cod, haddock, scallop, and other catches. The bank may also contain valuable oil and gas resources.

The boundary proposed by the United States claims jurisdiction over all of Georges Bank. New England fishermen developed the fisheries of Georges Bank during the 19th century and fished the area exclusively until the late 1950s when an influx of foreign fishermen began. Over the last 200

years, the United States has undertaken the primary responsibility for surveying and charting the area, the maintenance of other navigational aids, the provisions of search and rescue services, the conduct of scientific research, and defense. The boundary proposed by the United States respects the natural divisions in the marine environment of the area by taking into account the Northeast Channel, which separates the Georges Bank

ecological regime from the separate ecological regime of the Scotian Shelf.

One further round of written pleadings may be submitted. Oral argument is currently contemplated to be scheduled in early 1984.**

The agent of the United States directing the case is Davis R. Robinson, the Legal Adviser of the Department of State. The Agent for Canada is L. H. Legault, Legal Adviser to the Department of Internal Affairs.

* [The U.S.A. has filed its counter memorial. This is the text Press Release No. 236 published in the Department of State Bulletin, June 1983 at 56. ** Scheduled 2 April 1984]