

**NEWFOUNDLAND AND LABRADOR – NOVA SCOTIA**  
**Case Concerning The Line Dividing Their Respective Offshore Areas**

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**TERRE-NEUVE ET LABRADOR – NOUVELLE-ÉCOSSE**  
**Affaire portant sur les limites de leurs zones extracôtières respectives**



**NOVA SCOTIA**  
**PHASE TWO**  
**COUNTER-MEMORIAL**



The choice between the delimitation proposed by Nova Scotia and the line proposed by Newfoundland and Labrador is clear.

Nova Scotia has proposed a line which is founded on the facts of this case, has been in use for many years, reflects the geographic and other circumstances that are relevant and produces a result that is demonstrably equitable.

Newfoundland has relied entirely on a selective and abstract representation of geography to construct a line that is so over-reaching that it far exceeds anything ever suggested by Newfoundland prior to this dispute. Now that it has seen the light of day, Newfoundland's claim can be seen for what it is: an attempt to "get it all".

The best explanation for Newfoundland's claim is that it was prepared in anticipation of a decision that would "split the difference" between the parties' proposed lines. Nova Scotia has declined to play such a game.

The purpose of this arbitration is to effect a delimitation according to principles of international law, which require that the line dividing the parties' offshore areas be determined so as to achieve an equitable result in the circumstances. Taking into account all the relevant circumstances, the boundary proposed by Nova Scotia – the existing boundary – provides a fully equitable result.