

LIST OF AUTHORITIES*

* This document has been amended for submission with Nova Scotia's Phase Two Counter-Memorial on October 17, 2001. It is intended to supersede the Lists of Authorities originally submitted with Nova Scotia's Memorials and Counter-Memorial, so as to ensure that the Tribunal has before it a single, comprehensive set of the materials relied on by Nova Scotia in this arbitration.

- Annex 1:** *Canada-Newfoundland Accord Implementation Act*, S.C. 1987, c. 3.
- Annex 1:** *Canada-Newfoundland Atlantic Accord Implementation (Newfoundland) Act*, S.N. 1986, c. 37.
- Annex 2:** *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act*, S.C. 1987, c. 28.
- Annex 2:** *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, S.N.S. 1987, c. 3.
- Annex 15:** J. Saywell, ed., *Canadian Annual Review for 1964* (Toronto, University of Toronto Press, 1965).
- Annex 19:** *Webster's Third New International Dictionary*, 1986, s.v. "metes and bounds."
- Annex 25:** Section 3 of the *British North America Act, 1871*, 34-35 Vict., c. 28 (U.K.).
- Annex 33:** *North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark; Federal Republic of Germany v. Netherlands)*, [1969] I.C.J. Rep. 3.
- Annex 34:** *Case Concerning the Continental Shelf (Tunisia v. Libyan Arab Jamahiriya)*, [1982] I.C.J. Rep. 18.
- Annex 35:** *Case Concerning the Territorial Dispute (Libyan Arab Jamahiriya v. Chad)* [1994] I.C.J. Rep. 6.
- Annex 70:** *Canada-Nova Scotia Oil and Gas Agreement Act*, S.C. 1984, c. 29.
- Annex 71:** *Survey System Regulation - Oil and Natural Gas Act*, N.B. Reg. 86-190.
- Annex 72:** *Oil and Natural Gas Act*, R.S.P.E.I. 1988, c. O-5.
- Annex 84 :** *Case Concerning Maritime Delimitation in the Area Between Greenland and Jan Mayen (Denmark v. Norway)*, [1993] I.C.J. Rep. 38.

- Annex 85:** Guinea – *Guinea Bissau Maritime Delimitation*, Award of 14 February 1985, 77 I.L.R. 36.
- Annex 86:** Lord McNair, *The Law of Treaties* (Oxford: Oxford University Press, 1961).
- Annex 87:** D.P. O'Connell, *International Law*, Vol. 1, 2nd ed., (London: Stevens & Sons, 1970).
- Annex 88:** I. Brownlie, *Principles of Public International Law*, 5th ed. (Oxford: Oxford University Press, 1998).
- Annex 89:** A. E. Gotlieb, *Canadian Treaty-Making* (Toronto: Butterworths, 1968).
- Annex 91:** *International Boundary Cases: The Continental Shelf* (Cambridge: Grotius Publications Limited, 1992), vol. 1, 555.
- Annex 92:** *Legal Status of Eastern Greenland case* (hereinafter *Eastern Greenland case*) (1933) P.C.I.J. (Ser. A/B) No. 53.
- Annex 93:** *Nuclear Tests case (Australia v. France)*, [1974] I.C.J. Rep. 253.
- Annex 94:** D.H.N. Johnson, "The Conclusions of International Conferences" (1959) 35 Brit. Y.B. Int'l L. 1.
- Annex 95:** *Werner v. Widow Rotschild*, (1953) I.L.R. 406.
- Annex 96:** *Case Concerning the Temple of Preah Vihear (Cambodia v. Thailand)*, Preliminary Objections, (26 May 1961), [1961] I.C.J. Rep. 17.
- Annex 97:** *International Status of South-West Africa*, Advisory Opinion, [1950] I.C.J. Rep. 128.
- Annex 98:** L. Oppenheim, *International Law, A Treatise*, vol. I - *Peace*, 8th ed. (London: Longman Group, 1955).
- Annex 99:** J.E.S. Fawcett, "The Legal Character of International Agreements" (1953) 30 Brit. Y.B. Int'l L. 381.
- Annex 100:** International Law Commission, *Reports of the Commission to the General Assembly*, 1966, UN Doc. A/6309/Rev.1 in *Yearbook of the International Law Commission*, vol. II (New York: United Nations, 1967) 169.
- Annex 101:** *Case Concerning Kasikili/Sedudu Island (Botswana v. Namibia)*, (1999) I.C.J. General List No. 98.
- Annex 102:** *Case Concerning the Temple of Preah Vihear, (Cambodia v. Thailand) (Merits)*, [1962] I.C.J. Rep. 6.

- Annex 103:** A. McNair, "The Legality of the Occupation of the Ruhr", (1924) 5 Brit. Y.B. Int'l L. 17.
- Annex 104:** I.C. MacGibbon, "The Scope of Acquiescence in International Law", Brit. Y.B. Int'l L. 143.
- Annex 105:** D.W. Bowett, "Estoppel Before International Tribunals and Its Relation to Acquiescence," (1957) 34 Brit. Y.B. Int'l L. 176.
- Annex 106:** *Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States of America)* [1984] I.C.J. Rep. 246.
- Annex 107:** H. Lauterpacht, "Sovereignty Over Submarine Areas", (1950) 27 Brit. Y.B. Int'l L. 376.
- Annex 108:** Sir Robert Jennings and Sir Arthur Watts, eds.: *Oppenheim's International Law* (New York: Longman, 9th edition (paper), 1996).
- Annex 109:** *The Newfoundland and Labrador Petroleum Regulations, 1977*, Nfld. Reg. 139/78.
- Annex 112:** *Case Concerning the Frontier Dispute (Burkina Faso v. Republic of Mali)*, [1986] I.C.J. Rep. 4.
- Annex 113:** *The Oceans Act*, S.C. 1996, c. 31.
- Annex 121:** *Regulations Made Under The Authority of Chapter 5 of the Acts of 1942, 11/3/43, S.N.S. 1943, Rules and Regulations.*
- Annex 123:** *The Petroleum and Natural Gas (Amendment) Act, 1966*, S.N. 1966, No. 2.
- Annex 129:** *A White Paper Respecting the Administration and Disposition of Petroleum Belonging to Her Majesty in Right of the Province of Newfoundland*, Government of Newfoundland and Labrador (May 1977).
- Annex 130:** M. Thamsborg, *Geodetic Hydrography as Related to Maritime Boundary Problems*, (1974) International Hydrographic Review LI (1), 157.
- Annex 133:** *United States – Measure Affecting Imports of Woven Wool Shirts and Blouses from India*, WT/DS33/AB/R, 25 April 1997 at 14.
- Annex 134:** *Oxford English Dictionary*, Compact Edition, Volume I, s.v. "modification", "southeast", "southeasterly".

- Annex 135:** *Case Concerning Maritime Delimitation and Territorial Questions Between Qatar and Bahrain (Qatar v. Bahrain) (Jurisdiction and Admissibility)*, [1994] I.C.J. Rep. 112 (hereinafter "*Qatar v. Bahrain*") (excerpts).
- Annex 139:** H. Kindred *et al.*, eds., *International Law Chiefly as Interpreted and Applied in Canada* (Toronto: Emond Montgomery Publications Limited, 1987) (excerpts).
- Annex 141:** M.T. Halbouty, ed., *Future Petroleum Provinces of the World* (Tulsa: American Association of Petroleum Geologists, 1986) (excerpts); L.F. Jansa and J.A. Wade, "Geology of the Continental Margin Off Nova Scotia and Newfoundland" in W.J.M. Van Der Linden and J.A. Wade, eds., *Offshore Geology of Eastern Canada*, vol. 2 – Regional Geology (Ottawa: Energy, Mines and Resources Canada, 1975) (excerpts).
- Annex 142:** *Territorial Sea and Fishing Zones Act*, S.C. 1964-65, c. 22 (excerpts).
- Annex 143:** *An Act to Amend the Territorial Sea and Fishing Zones Act*, R.S.C. 1970, 1st Supp., c. 45 (excerpts).
- Annex 144:** *Dispute Concerning Filleting within the Gulf of St. Lawrence by the French Trawlers Referred to in Article 4(b) of the Fisheries Agreement Between Canada and France of March 27, 1972*, Counter-Memorial Submitted by Canada, 22 April 1986 (excerpts).
- Annex 145:** "DRAFT MINUTES, Continuing Committee on Offshore Minerals, August 14, 1972".
- Annex 146:** *United States – Standards for Reformulated and Conventional Gasoline*, Report of the Appellate Body, WT/DS2/9, 29 April 1996 (excerpts).
- Annex 147:** *Japan – Taxes on Alcoholic Beverages*, Report of the Appellate Body, WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, 4 October 1996 (excerpts).
- Annex 148:** *Fisheries Jurisdiction Case (Spain v. Canada) (Jurisdiction)* 4 December 1998, General List, No. 96 (excerpts).
- Annex 149:** *Case Concerning the Arbitral Award Made by the King of Spain on 23 December 1906 (Honduras v. Nicaragua)*, [1960] I.C.J. Rep. 192 (excerpts).
- Annex 150:** Petro Canada Report: "Scotian Shelf Acreage Summary 1979-12-12".
- Annex 151:** *Petroleum and Natural Gas Act*, R.S.N.S. 1967, c. 228, (extract).
- Annex 152:** *Petroleum and Natural Gas Amendment Act*, S.N. 1974, No.93.

- Annex 153:** N.S. Reg 142/84, July 26, 1984, with O.I.C. 84-877, Pursuant to s. 33 of the Petroleum Resources Act.
- Annex 154:** N.S. Reg 154/84 July 26, 1984, with O.I.C. 84-891, pursuant to s. 12 of the Petroleum Resources Act.
- Annex 155:** N.S. Reg 138/84 July 26, 1984, with O.I.C. 84-873, pursuant to s. 32 of the Energy and Mineral resources Conservation Act.
- Annex 156:** N.S. Reg. 155/84 July 26 1984, with O.I.C. 84-892, pursuant to s. 4A of the Energy and Mineral resources Conservation Act.
- Annex 157:** *The Gas Utilities Act*, S.N.S. 1980, c. 7.
- Annex 162:** H. Thirlway, "The Law and Procedure of the International Court of Justice, 1960-1989" (1989) *Brit. Y.B. Int'l. L.* 60 (excerpt).
- Annex 163:** Statute of the International Court of Justice, Article 38.
- Article 164:** G. Fitzmaurice: "The Law and Procedure of the International Court of Justice 1951-4: Treaty Interpretation and Other Treaty Points" (1957) 33 *Brit. Y. B. Int'l. L.* 203 (excerpt).
- Annex 165:** Beagle Channel Arbitration between the Republic of Argentina and the Republic of Chile, Report and Decision of the Court of Arbitration, February 18, 1977 (excerpt).
- Annex 166:** *Webster's Ninth New Collegiate Dictionary*, 1991, s.v. "be".
- Annex 169:** J.O. Saunders, *Interjurisdictional Issues in Canadian Water Management* (The Canadian Institute of Resources Law, 1988) (excerpts).
- Annex 170:** Statutory provisions related to s. 19, *Federal Court Act*, S.C. 1970 c. 10 (2nd) Supp.
- Annex 171:** *The Queen in the right of Canada v. The Queen in the right of the Province of Prince Edward Island*, [1978] 1 C.F. (Fed. C.A.).
- Annex 172:** *Mellenger and another v. New Brunswick Development Corporation* [1971] 2 All. E.R. 593.
- Annex 173:** *Western Surety Co. v. Elk Valley Logging Ltd. et al* 23 D.L.R. (4th) 464.
- Annex 174:** Case Concerning Delimitation of the Maritime Boundary in the *Gulf of Maine Area* (Canada v. United States of America) [1984] I.C.J. Rep. 246 (excerpts).

- Annex 177:** Nova Scotia Petroleum Regulations, 1970.
- Annex 182:** *Reference Concerning Property In and Legislative Jurisdiction Over the Seabed and Subsoil of the Continental Shelf Offshore Newfoundland*, [1984] 1 S.C.R. 86 (excerpts).
- Annex 184:** J.I. Chamey, "Progress in International Maritime Boundary Delimitation Law" (1994) 88 A.J.I.L. (No. 2) 227 (excerpts).
- Annex 187:** *Case Concerning the Continental Shelf (Libyan Arab Jamahiriya/Malta)*, [1985] I.C.J. Rep. 13.
- Annex 188:** *North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark; Federal Republic of Germany v. Netherlands)*, [1969] I.C.J. Rep. 3 (excerpts).
- Annex 189:** *Case Concerning the Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, [1982] I.C.J. Rep. 4 (excerpts).
- Annex 190:** *Arbitration between the United Kingdom of Great Britain and Northern Ireland and the French Republic on the Delimitation of the Continental Shelf*, (1977), 54 I.L.R. 6 (excerpts).
- Annex 191:** *Guinea–Guinea-Bissau Maritime Delimitation Case*, Award of February 14, 1985 (1988) 77 I.L.R. 636 (excerpts).
- Annex 192:** L.A. Willis, "From Precedent to Precedent: The Triumph of Pragmatism in the Law of Maritime Boundaries" (1986) Can. Y.B. Int'l L. 3 (excerpts).
- Annex 193:** *Case Concerning Continental Shelf Area Between Iceland and Jan Mayen (Denmark v. Norway)*, [1993] I.C.J. Rep. 38 (excerpts).
- Annex 194:** *Case Concerning Delimitation of Maritime Areas between Canada and The French Republic* (1992), 31 I.L.M. 1145 (excerpts).
- Annex 195:** L.H. Legault & B. Hankey, "From Sea to Seabed: The Single Maritime Boundary in the Gulf of Maine Case" (1985) 79 A.J.I.L. 961 (excerpts).
- Annex 196:** Application for Revision and Interpretation of the judgement of February 24, 1982 in the *Case Concerning the Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, [1985] I.C.J. Rep. 192 (excerpts).
- Annex 203:** *Nuclear Tests Cases (Australia v. France)*, [1974] I.C.J. Rep. 253 (excerpts).
- Annex 204:** *Fisheries Case (United Kingdom v. Norway)* [1951] I.C.J. Rep. 116.
- Annex 205:** (*Honduras v. Nicaragua*), [1960] I.C.J. Rep. 192.
- Annex 206:** (*Cambodia v. Thailand*) (Merits), [1962] I.C.J. Rep. 6.

- Annex 207:** *(El Salvador/Honduras)*, [1992] I.C.J. Rep. 351.
- Annex 208:** *(Libyan Arab Jamahiriya/Chad)*, [1994] I.C.J. Rep. 6.
- Annex 210:** W.H.F. Smith and D. T. Sandwell, "Global seafloor topography from satellite altimetry and ship depth soundings" *Science*, v. 277, p. 1957-1962 (26 September 1997).
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