

## LIST OF AUTHORITIES\*

\* This document has been amended for submission with Nova Scotia's Phase Two Memorial on August 17, 2001. It is intended to supersede the Lists of Authorities originally submitted with Nova Scotia's Memorials, 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, 2<sup>nd</sup> ed., (London: Stevens & Sons, 1970).
- Annex 88:** I. Brownlie, *Principles of Public International Law*, 5<sup>th</sup> 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*, 8<sup>th</sup> 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, 9<sup>th</sup> 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, 1<sup>st</sup> 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 (2<sup>nd</sup>) 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. (4<sup>th</sup>) 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. Charney, "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.

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**Annex 211:** G. Laske and G. Masters, "A Global Digital Map of Sediment Thickness" *EOS Transactions of the American Geophysical Union (AGU)*, 78, F483, (1997).