

Abstract

The U.S. and Canada share three lengthy coastlines that have yet to be delimited. The Dixon Entrance, one such boundary, can be understood as a convergence between national historical practices and policies and international maritime frameworks. The two States assert competing territorial claims over the Dixon Entrance that, left unresolved, could catalyze a future dispute over its possession.

Methodology

The research methodology of this paper was an engagement with qualitative sources, preceded by a rigorous literature review of pertinent academic materials. I predominantly considered published academic papers on questions of previous maritime practice and maritime law. I also consulted more recent materials for the questions in relation to Canada's legal obligations vis-à-vis the Haida Nation on Haida Gwaii.

Geography of the Dixon Entrance

The Dixon Entrance is a maritime passage in the Pacific Ocean that lies offshore of the terminus of the Canada-U.S. land border, specifically the delineation between the Alaskan Panhandle and the province of BC. The contested area amounts to approximately 80 kilometres in width and 50 kilometres in length.

A-B Line Decision

The A-B Line, established by a 1903 arbitral decision is Canada's preferred legal position.

- Canada argues that the A-B Line delimits the land and sea boundaries of the border. The U.S. argues that the A-B Line only pertains to the land boundaries between the two States.
- This line predated the United Nations Convention on the Law of the Sea (1982), which significantly extended seaward national maritime jurisdiction and developed exclusive economic zones.
- This line would confer the preponderance of the Dixon Entrance to Canada.



Figure 1: Map of the Dixon Entrance.

Equidistance Regime

The U.S. has called for the implementation of an equidistance line across the Dixon Entrance, bifurcating the sea passage to create respective maritime title.

- Canada argues that the equidistance regime is inappropriate in light of historical conduct between the States.
- The successful application of an equidistance line would lower the current boundary down by 20 kilometres to the advantage of the U.S.
- Equidistance lines ensure that States respect the median line between relevant baseline points.
- The application of an equidistance line is up to the discretion of the two relevant States.

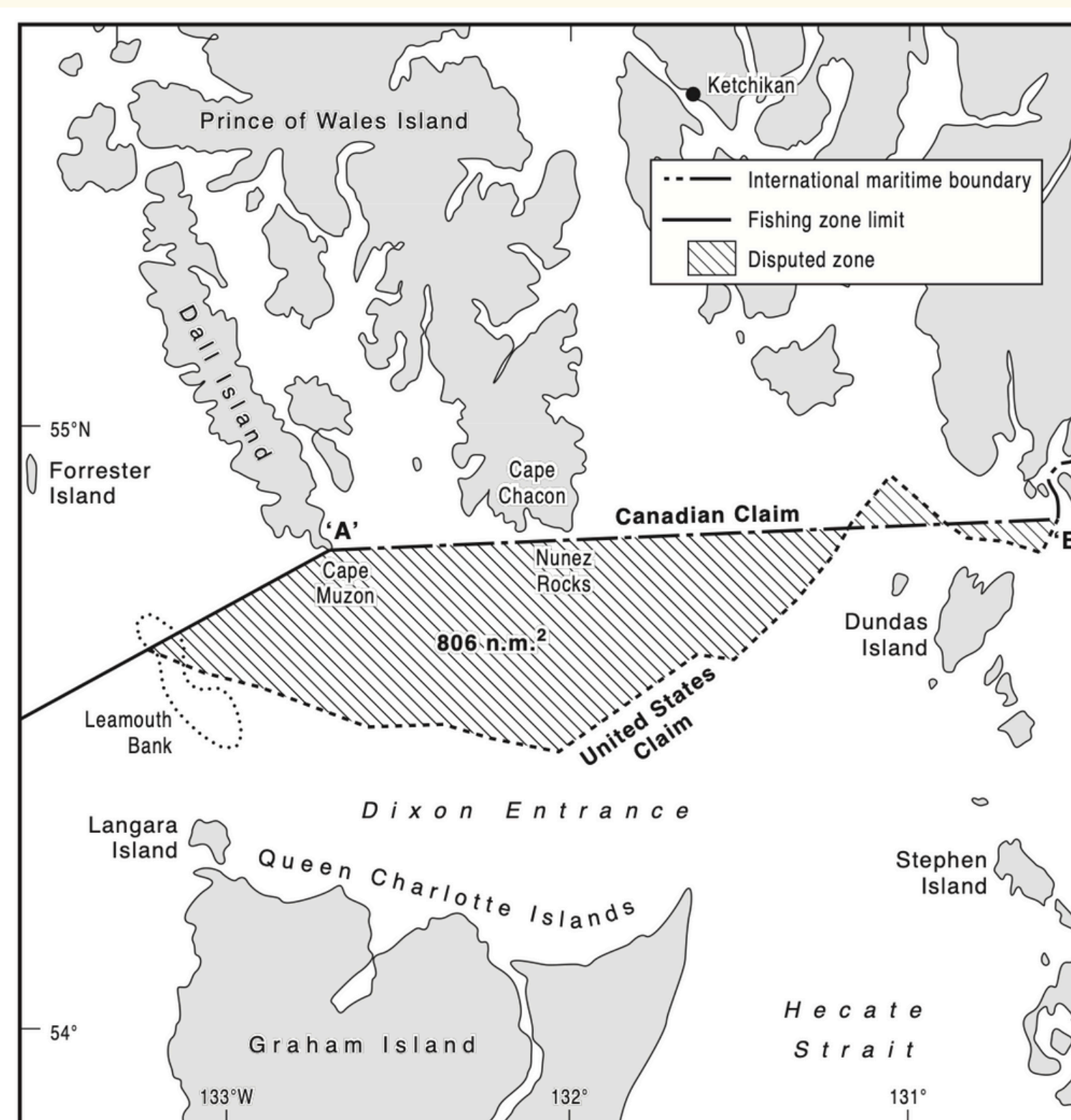


Figure 2: Contested boundaries around the Dixon Entrance.

Obligations to the Haida Nation

The Haida Nation lies directly south of the Dixon Entrance. While Canada possesses the international right and legal personality to engage in maritime delimitation, the Haida are entitled to articulate their own interests in relation to the use of the Dixon Entrance.

While the Haida Nation possesses land title over the archipelago, this right does not confer a like right to participate in maritime delimitation agreements.

Wider Geopolitical Implications

- A moratorium on offshore oil and gas production on Canada's west coast has inhibited exploratory ventures in the Dixon Entrance, yet it is possible that this area could possess significant hydrocarbon resources.
- Access to the rich fishing grounds in the Dixon Entrance area could be widely different depending on delimitation outcomes secured by adherence to the A-B line or an equidistance principle.
- Both countries have demonstrated an ability to work around and accommodate their diverging opinions on the territorial status of the Dixon Entrance.

I would like to acknowledge the invaluable support of my research advisor, Dr. Tara Davenport at the National University of Singapore. Likewise, I appreciate the continuing support of the Laidlaw Foundation at large and at the University of Toronto.

