

LETTER FROM OTTAWA



Testing more than the Arctic ice

**The Manhattan's voyages
hold strong implications
for Arctic sovereignty
and maritime law**

by Warren Kornberg

The icebreaking tanker Manhattan, now entering another round of tests in the Northwest Passage across the top of North America, may not go all the way through this time. But if she does on this or subsequent trips she faces a choice of two routes at the Passage's western end. She can try to buck the pack ice of the McClure Strait linking Viscount Melville Sound and the Beaufort Sea. Or she can veer south around Victoria Island and try the narrow Prince of Wales Strait that separates Victoria from Banks Island to the west.

The Manhattan tried for the McClure Strait her first time through. The heavy, multi-year pack ice forced her to back off and take the easier and originally charted course through Prince of Wales.

Prince of Wales Strait may hold certain navigational advantages.

McClure Strait is more politically palatable. It is the only route that insures completion of the run without coming within three miles of any Canadian land. This may seem a minor reason. But it is United States policy to contend that all a ship has to do is keep three miles of open water between itself and the shore of any islands in Canada's Arctic Archipelago, through which the Passage winds, and the entire run will have been made in international waters.

Canada has declared, in legislation introduced by the Government and working its way through the Canadian Parliament, the extension of Canadian territorial waters out to a 12-mile limit from shore. The law would also make any ship within 100 miles of a Canadian shore responsible to Ottawa for any oil spill or other pollution of the Arctic waters.

Washington rejects both the 12-mile limit and the 100-mile pollution-control jurisdiction.

"The United States does not recognize any exercise of coastal state jurisdiction over our vessels on the high seas," the State Department declared. "Thus it does not recognize the right of any state to unilaterally establish a territorial sea of more than three miles, or exercise more limited jurisdiction of any area beyond 12 miles."

The United States for years has been fighting the extension of territorial waterways in half the oceans of the world. She is not about to agree that Canada can set a precedent for less friendly South American or Asian nations.

There is a lot at stake for Canada as well. Not only is the pollution question a real one, as more and more oil is

found north of the Arctic Circle, on Canadian as well as American soil. But the Canadian Arctic, mainland and islands as well, is in the grip of a massive oil fever since the first oil well was brought in on the delta of the Mackenzie River earlier this year. Canadian geologists are convinced that, between the delta area and the Arctic islands (a gas well has come in on Melville Island), and in the waters around them, there is a reserve of tens of billions of barrels of oil.

Canada is bargaining as well for a continental energy policy that affects her exports of oil to the United States and for a U.S. contribution to the construction of oil terminals in the Arctic, which both nations will need to make shipping across the north feasible; the question of sovereignty can be a major bargaining point.

The Northwest Passage is a series of straits and sounds that includes, from east to west, Lancaster Sound, Barrow Strait, Viscount Melville Sound and either McClure Strait or the narrower Prince of Wales Strait.

To stay in international waters, by the United States' definition, a ship would have only to avoid Prince of Wales Strait. In Prince of Wales the squeeze between the Princess Royal Islands and Victoria Island forces a ship to within less than three miles of both shores.

All the rest of the passage is considerably wider than six miles.

But in the Barrow Strait, the only other bottleneck, the widest passage is the 20-mile passage between Griffith and Somerset Islands.

Canada's 12-mile claim would close any passage narrower than 24 miles from shore to shore. If it were recognized, it would make Barrow Strait an internal waterway no matter what happens at the western end.

The second voyage of the Manhattan is essentially an evaluation of ship performance. An important part of her work will be to test herself against the harder, multi-year ice in Baffin Bay, similar to the ice in McClure Strait.

But not until she faces the choice between McClure and Prince of Wales Straits again will it be clear just what role she is playing in high policy in the high Arctic. Nor will it be known until then whether the best advice of the men who know Arctic ice—that McClure Strait is impassable—will have any more effect on the men out to test the Manhattan's mettle than it did the first time out.