

mile coastal zone. On the one hand, there are a number of nations with developed fishing fleets which have operated, and continue to operate, in areas contiguous to the territorial waters of other states. For example, in Canada we have American fishermen, also French, Spanish and Portuguese. Their fishing fleets have been attracted by the prospects of good fishing in these coastal waters. Another example of where this problem arises in a very acute form is the fishing by the British trawlers off the coast of Iceland. A number of these distant-water fishing nations also have large mercantile fleets and navies which navigate the high seas. The traditional three-mile limit has adequately served the interests of this group of countries and, by and large, continues to do so. In other words, these countries' navies prefer a narrow territorial sea.

On the other hand, since the beginning of this century, a growing number of coastal states — and Canada would rank as a coastal state — have come to regard the three-mile limit as no longer adequate for the protection of their own interests. Accordingly, they have made claims to the exercise of national jurisdiction outside the three-mile limit for various purposes; for example, jurisdiction has often been assumed for customs, immigration, fiscal and sanitary purposes . . . and claims made over the resources of the continental shelf. The law is very important because of the discoveries of oil on the continental shelves off different countries. Moreover, a growing number of coastal states, whose populations have been greatly increasing in recent years, have been looking to the living resources of their adjacent seas as an important, and sometimes vital, source of food. As a result, there has been growing pressure arising, particularly from the newer and less-developed countries, for increased controls over fishing in their adjacent waters. We have experienced trouble in regard to this question off the coast of Nova Scotia where, under Canadian law, the Canadian trawlers have to stay out beyond 12 miles, but American trawlers can go in to the three-mile, which is the territorial-sea limit. To satisfy these demands claims have been made, in some cases, to territorial-sea and fishing limits of up to 200 miles. Some of the South American countries — I think Chile and Peru — claim a 200-mile territorial limit, and they did that because of whale fishing up to 200 miles off their coasts. Boats from other countries were coming in there and getting all the whales, and this is the origin of the 200-mile limit off the west coast of South America. More often claims have been made to a 12-mile territorial sea or, as in the case of Iceland, to a 12-mile exclusive fishing limit.

The situation could be summed up in the following ways. The United Kingdom, United States, France, Japan and a number of Western European and other nations favour restricting as much as possible a coastal state's jurisdiction over its adjacent seas. At the first conference, this group favoured a United States proposal for a six-mile territorial sea — they were willing to move from the old three-mile to a six-mile — and a further six-mile fishing zone which was, however, to be subject to historic fishing rights. In other words, they were willing to agree to a six-mile territorial sea and a six-mile fishing zone beyond it providing they