

must necessarily continue to recognize legitimate commercial interests and freedom of communication, and must remain resource-oriented in recognizing the rights of coastal states in certain resources of the sea, but must now be also environmentally-oriented in seeking to protect the maritime environment on which man and all living species are dependent for survival.

This evolution of the Law of the Sea can be seen as the result of many factors but can more easily be reconstructed through a brief recapitulation of the methods used over past centuries to modify existing practices i.e. unilateral decisions, bilateral or regional agreements and universal conventions.

Unilateral solutions are perhaps the oldest means of developing international law; state practice often develops into custom and eventually into norms of international law. It is state practice which led to the adoption of the traditional three-mile limit for the territorial sea. A signal example of unilateral action may be found in the 1945 Truman Proclamation on the Continental Shelf which laid the foundation for the 1958 Convention on the Continental Shelf. Another well-known example is that of the Latin American States which, through the development and unilateral application of the patrimonial sea doctrine, have succeeded in rallying the support of a large number of states in favour of wide resource jurisdictions.

In the wake of the failure of the first two Law of the Sea Conferences to set a limit to the territorial sea or to agree on the establishment of exclusive fishing zones, Canada also resorted to unilateral action. In the first instance, in 1964, it established a nine-mile exclusive fishing zone beyond its three-mile territorial sea. This measure provoked protests on the part of the U.S.A. but two years later that country took a similar step, thereby illustrating how state practice develops international law and how political attitudes change. Again in 1970, Canada unilaterally extended its territorial sea to twelve miles as had already been done by a large number of coastal nations. Canada also created in the same year exclusive fishing zones in the Gulf of St. Lawrence, the Bay of Fundy, Queen Charlotte Sound, Hecate Strait and Dixon Entrance but undertook at the same time negotiations with other countries whose fisheries