

are very long. The islands blend into the Newfoundland coastline, well within the concavity formed by the coasts of both Newfoundland and Nova Scotia. Dependencies of France in political terms, the islands nonetheless remain outcroppings of the submerged landmass of Canada in physical terms. They are, in reality, the products rather than the producers of the continental shelf on which they sit.

The jurisprudence and state practice tell us that the enclave solution gives a reasonable effect to this coastal geography. For the enclave solution proposed by Canada respects the rights of both Canada and France: it reflects the extreme disparity in the lengths of their coasts within the area; it ensures that Canada's natural prolongation or seaward extension is not blocked to the front or to the sides by St. Pierre and Miquelon; and it takes account of the limitations on St. Pierre and Miquelon's capacity to generate competing claims, in view of their dependent status, their total geographic detachment from France and their virtual geographic attachment to Canada.

The breadth of the enclave proposed by Canada is 12 miles, the maximum breadth of the territorial sea. Geography and law lead to this result; other factors confirm its equity. The vital interests at stake here are overwhelmingly Canadian because the geography here is overwhelmingly Canadian: because Canada is present in and dependent on the area in a way that France is not and cannot be from the other side of the Atlantic. Presence and dependence go together. Each sustains the other; each is bound up with the vital interests of Canada; and each is evidenced by the responsibilities Canada has assumed in the area and France has not. Only a 12-mile enclave would be consistent with these realities.

For the 80,000 people on the south coast of Newfoundland, the outcome of this case is crucial. For the inshore fishermen in particular, it is a matter of devastation or survival. Their past, present and future are bound up with the fishery resources of the area known as "3Ps." That is all they have. In Nova Scotia also, several communities depend upon 3Ps to a significant, albeit lesser, degree.

A different picture presents itself for St. Pierre and Miquelon. These islands depend upon France for their existence; in many respects they even depend upon Canada. They do not, however, depend upon the fishery to anywhere near the same extent as the south coast of Newfoundland. Nor do they depend upon the resources of 3Ps, in particular, to anywhere near the same extent as the south coast of Newfoundland.

Seventy-two communities on the south coast of Newfoundland participate in the 3Ps fishery, and 56 of them rely upon 3Ps for every fish they catch. St. Pierre and Miquelon have two