

forward at the last Conference in that it does not deal with the existence of "traditional" fishing rights in the outer six-mile zone.¹

Disadvantages of a Twelve-Mile Territorial Sea—Effect on Security and Communications

The proposal for a three-to-twelve-mile territorial sea would recognize a twelve-mile territorial sea limit and, if approved, would likely lead to the general adoption of a twelve-mile territorial sea. The Canadian solution calls for a six-mile territorial sea, the widest possible limit compatible with the principle of the freedom of the high seas. A six-mile limit for the territorial sea would not detract from the rights of coastal states; on the contrary, combined with other rules, it would provide coastal states with greater advantages than they would obtain under a general twelve-mile territorial sea limit.

Thus, if the Canadian solution were approved by the Second Conference, all coastal states would acquire a six-mile territorial sea, and a further six-mile exclusive fishing zone. Under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone, coastal states would also obtain, in the outer six-mile zone, control for customs, fiscal, immigration and sanitary purposes. The *only* additional interest of a coastal state which a twelve-mile territorial sea might be thought to protect is that of security. There are, however, a number of reasons, particularly in the nuclear age, to suggest that the extension of the territorial sea beyond six miles does not necessarily provide increased security, but, rather, might reduce the very security which a coastal state is thus attempting to achieve. For example, an extension of a state's territorial sea to twelve miles might, if that state were neutral in time of war, be more likely to involve it in a limited conflict because of the greater difficulty in protecting its neutrality

¹ See page 17 for a discussion of the Canadian view on methods for dealing with problems arising in the outer six-mile zone.