

Agreements between two states or groups of states can be modified or revised in such a way as to meet new needs and circumstances and to take account of developments affecting the precise interests which are the subject of the agreement. On the other hand, once a rule of law is established, it is likely to acquire a permanence and universality which may be undesirable in an area where change is constant and where particular conditions and circumstances may be swiftly altered by technological developments.

The fundamental problem, of course, consists in formulating a new rule of international law which will meet the interests and aspirations of the international community as a whole. In the absence of such a generally acceptable and accepted rule of law, an increasing number of coastal states may well reach the conclusion that they have no choice but to try to bring about by unilateral action the kind of rule which will enable them to achieve what they consider to be their legitimate objectives. Developments since the 1958 Conference have already given some indication of the future problems which would be likely to arise if no agreement is reached at the next Conference on precise fishing limits. While the adoption of a new rule of international law, such as that envisaged in the Canadian proposal, may adversely affect a few countries at first, it seems clear that in the long run the order and the certainty which will ensue will be of great advantage to all states. Any short-run disadvantages that might result for certain states will be substantially less serious than those which may be expected to follow from the failure of the Conference.

The Prospects for the 1960 Conference

It can be seen that the problems facing the Second Conference are indeed of concern to all States. In seeking to formulate new rules of international law to govern the breadth of the territorial sea and the fishing jurisdiction of coastal states, the Conference