

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 will be undertaking a task of critical importance both for the development of international law and for the maintenance of peace among nations.

Rules of law on the breadth of the territorial sea and of fishing limits will complete the code of maritime law adopted at the First Conference. These new rules must take into consideration the political and economic realities of our time. If the new Conference does not give birth to such rules, the international community may have to face the existence of chaotic conditions where states decide what laws their interests require without regard to the interests of other states and the need for an international régime of law. The present situation will tend to worsen with the passage of time and may create sources of increasing international friction, and a real impediment to friendly and peaceful relations between states. It is therefore important that all nations attending the Second Conference on the Law of the Sea do their utmost to ensure that the Conference succeeds in agreeing upon uniform principles of law to take their place in the international code of law of the sea.

The inability of the First Conference on the Law of the Sea to reach agreement on a rule of international law to govern the breadth of the territorial sea and the fishing jurisdiction of coastal states should not occasion pessimism for the success of the forthcoming Conference. We all know that, in addition to its other impressive achievements, reassuring progress, even on these two matters, was made at the earlier meeting. The Conference demonstrated clearly that the area of disagreement was not large; it was almost unanimous in the view that the extent of a coastal state's fishing jurisdiction should extend to, but should not exceed, twelve miles; in addition, there was a widespread conviction that the principle of the freedom of the high seas must be maintained.