

The Convention on the Continental Shelf is of special importance since it is the first international instrument dealing with this subject. It grants to coastal states sovereign rights over the exploration and exploitation of the natural resources of the sea bed and subsoil of its coast to a depth of two hundred metres or to a greater depth if exploitation is possible.

Lastly, an optional protocol provides for the compulsory judicial settlement of disputes.

These achievements illustrate the immense scope of the work of the Conference.

Failure of the Conference to Agree on the Extent of the Territorial Sea or Fishing Zones

These instruments may not have achieved the recognition they deserve as important and far-reaching steps forward in maritime law, because attention has largely been focused on the failure to agree at Geneva on the questions of the breadth of the territorial sea and a coastal state's rights in the contiguous fishing zone.

The work of the Geneva Conference will, in fact, remain an incomplete edifice until it is supplemented and completed by clear and unequivocal rules on these matters. However, the failure to reach agreement on the questions of territorial sea and fishing limits was not looked upon as final; and, before the Conference adjourned, a resolution was adopted calling on the General Assembly of the United Nations at its next session to study the advisability of convening another conference to deal with the questions left unsettled by the 1958 Conference. This request was acted upon by the General Assembly at its thirteenth session in 1958; by an almost unanimous resolution, the Assembly asked the Secretary-General to convoke a Second Conference in March or April 1960 "for the purpose of considering further the questions of the breadth of the territorial sea and fishery limits". In the preamble to the resolution, the General Assembly recognized that agreement on these questions would be likely to "contribute substantially to the lessening of international tensions and to the preservation of world order and peace". The Second Conference will thus have an agenda limited to two items: territorial sea limits and fishing zones.

Territorial Sea and Coastal State Jurisdiction Before the First Conference

In the nineteenth century the three-mile limit for the breadth of the territorial sea was accepted by many but not all members of the international community of nations. In the course of the present century, and particularly after the failure of the Hague Codification Conference in 1930, a large and growing number of states have come to believe that the three-mile territorial limit was not adequate and have either extended their territorial seas beyond the three-mile limit, or have claimed jurisdiction over certain areas of the high seas for particular purposes. More than twenty nations have claimed jurisdiction over customs enforcement outside their territorial waters. A number of states have also claimed a contiguous zone for fiscal or sanitary purposes. In addition, over two dozen countries and territories have made claims to exercise limited jurisdiction over the continental