

includes a reference, in a way considered generally acceptable following a difficult debate, to the right of peoples to self-determination and to the Latin American institution of asylum. The new convention, if generally applied, will have the effect of closing off safe havens and should have a deterrent effect on potential international terrorists.

#### **International humanitarian law in armed conflicts**

The Legal Bureau, in close co-operation with the Office of the Judge Advocate General of the Department of National Defence, continued to work in 1973 on preparations for the first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which is to be held in Geneva February 19 to March 29, 1974. The conference is to be convoked by the Swiss Federal Council and attended by delegations from states party to the Geneva Conventions of 1949 for the Protection of War Victims. Delegations from more than 20 non-governmental organizations and a number of national liberation movements are expected to attend the conference as observers.

At January and March meetings in Geneva of government experts from selected states, Canadian legal experts worked with colleagues from other nations and from the International Committee of the Red Cross (ICRC) to further refine two draft Additional Protocols designed to reaffirm and update the 1949 Geneva Conventions. These drafts will provide the basis for discussions at the 1974 Diplomatic Conference in Geneva. Adoption of the two Additional Protocols should enable the humanitarian law of armed conflicts to reflect better the realities of modern methods and means of warfare and offer extended protection to civilian victims of such conflicts.

#### **Definition of aggression**

For more than 50 years, since the League of Nations first took up the task, the international community has been attempting to formulate a generally acceptable definition of aggression. In 1967, the General Assembly established a 35-member Special Committee on the Question of Defining Aggression, of which Canada is a member.

At its 1973 session, the Special Committee nearly succeeded in reaching agreement on an acceptable "package" definition that, while not undermining the overriding discretion of the Security Council, would serve as a guide to the Security Council in determining whether the use of force by states in specific instances has been such as to constitute an act of aggression in contravention of the UN Charter.

In its report, the Special Committee noted with satisfaction the further progress during the 1973 session, and expressed the belief that such progress would make it a practical possibility to elaborate a generally-acceptable definition at its 1974 session.

#### **Multinational enterprises**

As a result of a Canadian initiative, the UN General Assembly in 1972 referred the question of regulation and control of multinational enterprises for study by the United Nations Commission on International Trade Law. As a first step in its study, the Commission instructed the Secretary-General to circulate to member states a questionnaire concerning: (a) problems encountered in dealing with MNEs; (b) policies adopted to deal with these problems; (c) the extent to which these problems might be amenable to solution by legal rules; and (d) suggestions for the direction of the Commission's further work on this subject.

This questionnaire was circulated within the government and private sectors. Subsequently, the Legal Bureau co-ordinated a large inter-departmental working group charged with preparing the Canadian reply to this questionnaire. The bulk of this work was completed in 1973.