

## E. Development of international law

The new concerns of the majority of UN members have inevitably had a significant impact upon the UN's role in developing and codifying international law. While the immediate impact has, in some important areas, been disruptive of traditional international law, this may well be only the birth pains of a new body of international law more responsive to the needs and interests of the international community as a whole.

It is clear from recent General Assembly debates that the climate has been unfavourable to the development of international law in certain areas. Where a majority of members are preoccupied with political disputes it may be difficult to sustain the balanced, long-range approach necessary for the development of rules that are viable and broadly acceptable. The outcome of debate on several lawmaking efforts has reflected political perceptions inherent in the Arab-Israeli conflict and Southern African problems.

The General Assembly reached agreement in 1974 on a definition of aggression, after 50 years of intermittent discussion by international lawyers under the League of Nations and later under the UN. However, the definition was adopted only at the cost of dilutions and ambiguities that pose questions for international lawyers of the future and may impair the usefulness of the agreed definition in influencing and restraining state behaviour. Similarly discussions in the General Assembly on international terrorism have revealed widely-divergent views between member states about the manner in which the fabric of international law might be strengthened in this field. There is considerable doubt as to whether any effective international measures against terrorist acts can find general support in the UN today, given the importance attached by many members to the Palestine Liberation Organization and to African liberation movements.

Recent developments at the United Nations may, however, point to a greater willingness of member states to come to grips with the issue of international terrorism, if not in general terms at least in relation to specific categories of international crimes considered to be particularly repugnant.

First, as a result of a West German initiative at the thirty-first session of the General Assembly, a UN committee has been established to draft an international convention against the taking of hostages.

A second development is the reactivation of the Ad Hoc Committee on International Terrorism, which met only once in 1973 and was unable to reach agreement on any effective international measures against terrorist acts. As the terms of reference of the reactivated committee are virtually identical to those of the abortive 1973 committee, there is some doubt as to whether this committee, of which Canada is a