

It should not be forgotten that many of the concerns of our governments are in a broader range of evolving economic and political issues which confront the international community and which are already subject to the process of progressive development and codification. It is our view that any review of the multilateral treaty-making process should take into account the character and consequences of multilateral treaty-making in areas such as international trade, foreign investment, the exploitation of natural resources, energy, restrictive business practices, transportation and shipping, the environment - the list of issues is lengthy. The Third U.N. Conference on the Law of the Sea is a law-making effort of major dimensions, embracing an unprecedented range of issues of great complexity and importance to the international community. The Law of the Sea has been a major preoccupation of international lawyers over many years and the Conference has already had a major and constructive impact on international law and state practice. The methods and techniques which have evolved in this domain clearly have lessons for any review of the multilateral treaty-making process. In this regard, the distinguished Representative of Singapore has posed a number of very pertinent questions which I hope can be addressed by the Secretary-General in his study.

The process by which the international community makes multilateral treaties could, in our view, be significantly affected by the review being undertaken and attempts to reach agreement on international practice. We hope, therefore, that the Secretary-General, in the preparation of the proposed report on the techniques and procedures used in the elaboration of multilateral treaties, would cast his net widely and take into account the full range of treaty-making underway be it in the United Nations, in the specialized agencies, in the international Law Commission or in other international institutions. We would welcome assessments by the Secretary-General on the adequacy and effectiveness of particular methods, and would welcome suggestions for improvement which could subsequently be studied by member states. Equally, we hope that all governments and all of the institutions involved will have an opportunity to provide their views on the techniques and procedures which would assist in the process. We have noted, for example, the suggestion that in the course of the development of the report, or after study of the report, consideration be given to preparation of a manual or repertoire of recommended practices to assist member states of the United Nations in the selection of the most suitable techniques for multilateral treaty-making. This could be a very useful bi-product of the review and one which, while is modest in concept, can have a long term effect in improving the quality and character of multilateral treaties. It should not of course reduce the flexibility which is inherent in present treaty-making processes, whereby different subject areas can be handled in different ways and in different bodies. The process of consultation on such a manual should not be limited to the United Nations' family or to treaty-making subjects involved in the process. In our own other relevant institutions and subjects involved in the process. In our own participation in the review, we would hope to ensure that these aspects of treaty-making are taken into account.