

**Recommendation 3-11c:** That Canada initiate a study to thoroughly review the U.N. and advise on changes Canada should seek in the context of an eventual charter review conference.

Appendix 3-5 provides proposals for U.N. reform advocated by the World Association of World Federalists.

#### D) Other Possibilities in International Organization with Implications for Common Security

The prospects for common security are enhanced the more states make use of and exercise respect for international organization in general. Canada should look for and support all appropriate opportunities to widen the responsibilities of international organizations and strengthen them in their role. The evolution of international order in general will reinforce a practice among governments to think in terms of international society and world legal order.

In this respect, we commend the Mulroney government for withdrawing its reservations at the World Court regarding Canada's claim to the Arctic. We commend the government also for its decision to remain within UNESCO. Both of these measures assert our commitment to work through, rather than around, international institutions and process.

#### Terrorism

International terrorism is an international responsibility. It should not be up to individual nations to prosecute international crimes under national law. This will produce an uneven justice and provide additional flashpoints for international conflict. The legal structures of states are in any case not adequate to international crimes. Legal uncertainties surrounding the arrest of the hijackers of the Achille Lauro led recently to the fall of the government of Italy.

**Recommendation 3-12:** That Canada advocate the creation of an International Criminal Court with responsibility for adjudicating international crimes of violence.

#### Law of the Sea

The Law of the Sea Treaty represents the greatest single advance toward a world order based reliably on law since the founding of the United Nations itself. The treaty is the product of complex negotiations which spanned three decades in which Canada played an internationally-renowned leadership role.

Canada achieved all of its objectives in the final document. Yet, almost four years after voting for the treaty at the U.N. (where it was adopted with 130 states in favour and only 4 opposed) Canada has inexplicably still not ratified the treaty. Moreover the federal government has concluded an off-shore oil agreement with Newfoundland which appears not to take account of international financial obligations under the treaty.<sup>3</sup>

In not ratifying the treaty, Canada is helping to unravel an international accomplishment of enormous import for a strengthened U.N. system, international stability and peace, not to

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<sup>3</sup> "Obligations unfulfilled Ottawa told," Globe and Mail, May 31, 1985. This article quotes Lawrence Herman, former External Affairs officer, lawyer, and delegate to the Law of the Sea Conference.