

in the period preceding the total victory of Communism. But in recent years we have begun to see, in international law as in other spheres, signs of a change in the Soviet Union, of a growing acceptance that there is only one international law which is of general validity for East and West. It is not surprising that the Soviet Union sees the content of this international law as containing principles favouring Soviet interests. The Soviet Union has borrowed heavily from traditional nineteenth century concepts in its role of a great power with far-flung and complex interests.

For the U.S.S.R., international law would seem to perform a triple role in the modern world. The first role is to protect the interests of the Soviet Union as a state among states, as a state in its international dealings with other countries, as a state concerned about the protection of its borders. The second role of international law is to serve as an arch, upon which common interests of East and West can be built, a span between competing societies and ideologies, an instrument of so-called "peaceful co-existence". The third role of international law is to act as a wedge by which Soviet political and ideological aims are furthered at the expense of the Western powers. Falling in this category would be Soviet advocacy of the legality of "wars of liberation" against colonialism. This, of course, is a simplification of the Soviet attitude, as each function or role obviously overlaps with the others.

It is particularly in its first role, the protection of a great power's interests, that the Soviet Union seems in some respects to be heading towards a conservative approach - most recently in its attitude towards the rules relating to the conclusion, termination, suspension and revision of treaties. In the International Law Commission, we have accordingly seen members from both Communist and Western countries agree on rules which firmly uphold the sanctity of treaties. The Soviet Union has even supported a restrictive definition of the controversial doctrine of clausula rebus sic stantibus, and we have heard little in recent years about "unequal treaties". It is also in connection with international law in this first role that the Soviet Union is an ardent advocate of the doctrine of state sovereignty. I will be discussing this later in my statement. It remains to be seen whether the Soviet attitude towards international law as an instrument for protecting its national interests will influence, as I believe it has already begun to influence, the Soviet Union's attitude toward international law in its role as an instrument of what they call peaceful co-existence, and whether it will temper the Soviet Union in its efforts to use international law for revolutionary purposes.

What conclusion do I draw from this analysis? I believe that the nations of the world have arrived at a point where virtually all states see value in the concept of a general corpus of international law, valid for all states, Eastern and Western, Communist and capitalist, old and new. Although they have had little say in its formulation, the newer states see value in it in its role of protector of the interests of smaller powers. The U.S.S.R. has come to see positive value in it as protector of its interests as a great power and as an instrument for peaceful co-existence. The Western states see international law as a framework for a developing international legal order and as an instrument for peace, for the peaceful settlement of disputes and for peaceful change.