

is for the hostage-taking committee
pear, however, somewhat more hopeful,
ice (a) its mandate is better focused
an that of the Committee on Interna-
nal Terrorism and (b) there are indica-
ons that moderate African and Arab
ates may be prepared to support inter-
tional measures against this kind of
tivity.

The results achieved by these two
mmittes will, in the long run, help to
licate the prospects for strengthening
ernational legal measures against ter-
rism within a UN context.

The debates over several years on
rious proposals for strengthening the
e of the International Court of Justice
d other mechanisms for the peaceful
tlement of disputes have similarly re-
aled widespread caution, particularly
the part of developing states, which
the Court and much of the traditional
pus of international law as being too
ch committed to the status quo. It has
ometimes been suggested that the Court
nds to view the world "through a rear-
aw mirror". While an objective assess-
ent of the Court's judgments in past
ars would not support such a sweeping
icism, it is a fact of international life
at states have resisted efforts to broaden
eptance of the compulsory jurisdiction
the Court and have shown great reluc-
nce to refer their disputes to it.

In many areas, nevertheless, the UN
s played a dynamic and innovatory role
contributing to a stable world order
rough the progressive development of
ernational law. This role has been most
ident where states have come to recog-
ze a growing sense of interdependence —
example, on the need for rational man-
ement and conservation of the earth's
ources and on the development of an
ernational economic system leading to
more equitable distribution of resources.

The UN Conference on the Law of the
a has been working out a new legal
ime for man's use of the oceans, de-
ned to be practical, equitable and
ponsive to current needs and realities.
e range and complexity of the issues at
ake are probably unprecedented and a
uccessful outcome is by no means certain,
spite general recognition that full ac-
unt should be taken of the aspirations
the developing countries to benefit from
e resources of the oceans.

A significant aspect of the Law of the
a Conference has been the important
e played in the negotiating process by a
mber of special-interest groups that,
lecting the variety of interests at play,
Tier from traditional political, geographic

and economic alliances. For example, on
issues of the preservation of the marine
environment, the "coastal-state group",
which includes both developing countries
and developed countries such as Canada,
has taken positions at odds with positions
advanced by the "major maritime powers".
On many issues, the developing countries
have taken a common stand, while on
others there have been differences between
those countries that are "coastal states"
and those that are "landlocked" or "geo-
graphically-disadvantaged".

The extent to which vital national in-
terests are involved and the difficulty of
gauging support on the many interrelated
issues has led to the realization that, to be
effective, a treaty must command not just
majority support but broad general sup-
port. As a result, the conference rules of
procedure provide for voting only as a last
resort. The conference is trying to put
together a "package" so that a consensus
can be reached on the treaty as a whole.
Although it is unlikely that any country
will be satisfied on all issues, it is hoped
that by 1978 solutions will have been
reached on the most important issues still
confronting the conference.

The conference has already achieved
broad agreement on revolutionary new
legal conceptions such as the 200-mile
"economic zone", in which the coastal state
will exercise specific types of jurisdiction,
and the "common heritage of mankind",
applicable to the international seabed area
beyond national jurisdiction. These con-
ceptions, in which duties go hand-in-hand
with new rights, are based on principles of
equity rather than power, and will form
the basis of the new constitution for the
seas. Even as the negotiations continue,
emerging principles of international law
have gained wide acceptance and have
been translated into state practice. For
example, Canada and a number of other
countries have recently taken action to
assert exclusive fisheries jurisdictions of
200 miles on the basis of ideas developed
at the conference. Whether or not the in-
ternational community is successful in the
near future in completing the negotiations,
it is clear that the law of the sea will never
return to the unsatisfactory state it was in
before 1967, when the United Nations
launched the precursor of the third UN
Law of the Sea Conference.

Outer space

The progressive development of the law of
outer space is another area in which the
UN has played a major role, primarily
through its Committee on the Peaceful
Uses of Outer Space. This Committee, of

*Law of the Sea
Conference
in search of
consensus*