

The 1990s are the Decade of International Law, as declared by the UN General Assembly in November 1989 to "promote acceptance of and respect for the principles of international law and to promote means for the peaceful settlement of disputes between states." The Assembly wanted to bring attention to the importance of international law as the best route to peace and security in this turbulent age.

Canada is a middle power that has always stressed peace and co-operation in its relations with other countries. So it is in Canada's interest to help the United Nations expand the scope and effectiveness of international law. A world that operates through the rule of law puts Canada on an equal footing with other nations. It also permits Canadians to become involved in trade and cultural activities abroad with confidence and security.

Law through the United Nations

The relationship between the United Nations and international law is a rich and complex one. The UN Charter itself is an international legal document, a multilateral treaty that forms the core of the modern system of international law. Historians trace the roots of the Charter back through a series of efforts to set up laws to govern relations among countries. These efforts eventually led to the creation of the League of Nations in 1919. The hope was that this body would ensure peace among nations. Unfortunately, the League failed to live up to its promise and was not able to prevent World War II from starting in 1939. The League of Nations collapsed, but the world drew on the lessons of its failure when drafting the UN Charter. The victors of World War II were convinced that the UN's mandate should include the pursuit of the "progressive development of international law and its codification" (Article 13). This the United Nations has done throughout its 50-year history, with a large degree of success.

When the UN Charter was signed in 1945, 130 multilateral treaties were in existence, most of them agreed to by fewer than 10 parties. Since that time, the UN has sponsored the signing of more than 350 multilateral treaties. In addition, it has adopted many declarations in such diverse areas as human rights, international economic law, space law, the rights of Aboriginal people, women's rights, seabed mining, postal services and telecommunications, peacekeeping, and development assistance.

The International Law Commission, the Sixth Committee, and the International Court of Justice

The United Nations Charter and the UN system are at the core of a vast, complex and growing international legal order. Much of the UN's effort in this field is directed through three bodies. The first is the International Law Commission (ILC). This is an independent body which meets once a year in Geneva. It has 34 legal expert members who sit independently, not as the representatives of specific governments. The ILC has been working on the codification of existing law, using the main tool of UN law-making — the multilateral treaty.

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