

force in self-defence, although it was generally agreed that the question of what constituted legitimate self-defence and what constituted aggression were inextricably connected.

On the one hand, the representatives of Bolivia, Burma, Egypt, Lebanon, Mexico and Syria stated that, under the collective security system of the United Nations, the question of what was legitimate self-defence was no longer a matter to be decided by individual States. Armed force, it was stated, was only permissible to meet an act of aggression, and it should be conditioned by the nature of the attack. It should not enable a State, it was emphasized, to invade the territory of another State.

On the other hand, the representatives of Belgium, Greece, the United Kingdom and the United States considered that, in certain particular circumstances, a State which was threatened by impending attack would be justified in attacking first in self-defence. The representatives of Poland, the Ukrainian SSR and the USSR, stressing that aggressors had always justified their aggression as self-defence, considered that such a doctrine amounting to the right to wage "preventive war" was equivalent to condoning aggression. In their opinion, a threatened State could have recourse to diplomatic and other measures of peaceful settlement and could mobilize its forces, but could not cross the frontier.

The representatives of China and the Netherlands considered that victims of indirect aggression could exercise their right of self-defence in the same way as victims of direct aggression.

To meet the point that some objective acts constituting aggression might be overlooked in an attempt at exhaustive enumeration, it was suggested by the representatives of Bolivia, Burma, Chile, Colombia, Cuba, the Dominican Republic, Mexico and Yugoslavia that a provision might be included that additional acts might be qualified as aggressive by the competent organs of the United Nations. In this connexion, reference was made to the Inter-American Treaty of Mutual Assistance signed in Rio de Janeiro in 1947, which contains such a formula.

It was also suggested by the representatives of Bolivia, China, Colombia, Cuba, Ecuador, Iran, Lebanon, Pakistan and Saudi Arabia, among others, that the dangers of omissions could best be remedied by the inclusion in the definition of a general formula in addition to a list of examples of acts of aggression. The general formula, it was argued, would serve as a safeguard, as new cases

falling within the general principles enunciated could always be determined by the organs called upon to apply the definition.

Some representatives, including those of Bolivia, Chile and Mexico, thought that any act included in the list of examples should always be deemed aggressive. The representative of Lebanon thought that the list should be merely indicative, and preferred to reserve for the organ applying the definition the discretion to decide that a particular case covered by an example did not constitute aggression.

The representatives of Cuba, Lebanon, Mexico and the Philippines favoured the inclusion in a definition of aggression of some provision concerning the intent with which the aggressive acts concerned were committed.

It was suggested by the representative of Peru that the rejection by one of the parties to a conflict of measures recommended by an international organ to put an end to hostilities was an important circumstance which that organ should consider in determining the aggressor.

The representatives of Bolivia, China, the Dominican Republic, Indonesia, the Netherlands, Pakistan and Yugoslavia thought a definition should include indirect aggression by such means as subversion and economic pressure, as well as the illegal use of armed force. This view was opposed by the representatives of Czechoslovakia, Egypt, Poland and the USSR, who held that indirect aggression was a fictitious concept which found no support in the letter or the spirit of the Charter.

As to the practical course by which a definition could be formulated, the representatives of Bolivia, Burma, the Byelorussian SSR, Czechoslovakia, Egypt, Indonesia, Pakistan, Poland, the Ukrainian SSR and the USSR preferred that the General Assembly should adopt one at its current session. Towards the end of the discussions the majority of the Committee wished the attempt to formulate a definition to be continued but felt that so much time had been devoted to preliminary questions that it was impossible to devote sufficient study to the various draft definitions presented.

The representatives of Chile, Mexico and Sweden favoured referring the question back to the International Law Commission. The representative of Colombia, supported by the representative of Ecuador, advocated the appointment of a special committee to study the problem carefully and report to the General Assembly at its next session. The representatives of Argentina, Canada, France,