

(4) add to the first operative paragraph an instruction to the Secretary-General to submit to the General Assembly at its seventh session a report in which the question of defining aggression should be thoroughly discussed in the light of the views expressed in the Sixth Committee at the sixth session and which should duly take into account the draft resolutions and amendments submitted concerning the question; and

(5) amend the second operative paragraph to request Member States to communicate to the Secretary-General, if they considered it advisable, their observations or views on the question of defining aggression.

Mexico submitted a sub-amendment (A/C.6/L.216) to the Syrian amendment, proposing to replace the third paragraph of the preamble with a paragraph stating that although the existence of the offence of aggression might be inferred from the circumstances peculiar to each particular case, it was nevertheless possible and desirable, for the development of international criminal law, to define aggression by reference to the elements which constituted it.

The representative of Mexico accepted amendments to his sub-amendment proposed orally by Belgium and Lebanon, jointly, and by Egypt. The first substituted the word "crime" for the word "offence"; and the second inserted the words "with a view to ensuring international peace and security and" after the words "possible and desirable".

The Mexican amendment as thus modified was accepted by Syria.

The Committee decided to vote first on the joint draft resolution and the amendments to it.

It adopted the first paragraph of the Colombian amendment by 28 votes to 14, with 6 abstentions, but rejected the second paragraph (providing for a special committee), by 33 votes to 5, with 10 abstentions.

The first paragraph of the Syrian amendment, as modified, was adopted by 25 votes to 24, with one abstention, the third and fourth paragraphs by 25 votes to 23, with 3 abstentions, and by 25 votes to 21, with 4 abstentions respectively. The second and fifth paragraphs were rejected, each by 22 votes to 20, with 8 abstentions.

In view of the adoption of the first paragraph of the Syrian amendment, the Indian amendment (A/C.6/L.212) was not put to the vote.

The Committee adopted the amended joint draft resolution as a whole by 28 votes to 12, with 7 abstentions. It then decided not to vote on the remaining draft resolutions and amendments.

#### c. CONSIDERATION BY THE GENERAL ASSEMBLY IN PLENARY SESSION

The draft resolution proposed by the Sixth Committee (A/2087) was considered by the Gen-

eral Assembly at its 368th plenary meeting on 31 January.

A number of statements, made in explanation of vote, were concerned in particular with the two paragraphs (paragraphs 4 and 5 of the preamble, see below) of the Committee's draft resolution which had formed part of the revised Syrian amendment to the joint draft resolution of France, Iran and Venezuela.

The representatives of Belgium, the Netherlands and the United States opposed these paragraphs as prejudging the issue by stating, *inter alia*, that a definition was possible and desirable. The Netherlands and United States representatives explained that they were doubtful as to whether a satisfactory definition could be found and that an unsatisfactory definition would not be of assistance, but they were nevertheless prepared to review the question again at the Assembly's seventh session. The representative of Belgium expressed the view that a definition would serve no useful purpose. The representative of France, while stating that he believed that a definition would be valuable from the point of view of the development of a judicial system embracing crimes against the peace and security of mankind, said that he would abstain on the draft resolution if the last two paragraphs of the preamble were retained.

On the other hand, the two paragraphs in question were supported by the representatives of Bolivia, Burma, Colombia, Czechoslovakia, Egypt, Lebanon, Syria, the USSR and Yemen. They emphasized the importance of adopting a definition of aggression so that an aggressor could be clearly identified. This, they held, though it would not put an end to acts of aggression, would assist in deterring an aggressor. It would also be a guarantee that any decision taken by a United Nations organ in designating an aggressor would be in accordance with law and not merely arbitrary. A definition, they said, would represent a step forward in the efforts to strengthen peace and security, and the General Assembly should adopt this statement of principle.

The representative of Burma referred to an appeal he had made in the Sixth Committee that if an act of aggression occurred before a definition were adopted, Members should nevertheless not be slow to take action to remove invaders from an invaded territory and should not take measures which would only make the invaded country "another Korea". He stated that the eastern part of Burma had been invaded by the armed forces of the "de facto Kuomintang Government on the