



GENERAL

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DUTIES OF STATES IN THE EVENT OF THE OUTBREAK OF HOSTILITIES

Union of Soviet Socialist Republics: draft resolution
on the definition of aggression

The General Assembly,

Considering it necessary, in the interests of general security and to facilitate agreement on the maximum reductions of armaments, to define the concept of aggression as accurately as possible, so as to forestall any pretext which might be used to justify it,

Recognizing that all States have equal rights to independence, security and the defence of their territory;

Inspired by the desire, in the interests of general peace, to guarantee all nations the right freely to develop by such means as are appropriate to them and at the rate which they consider to be necessary, and for that purpose to provide the fullest possible protection for their security, their independence and the integrity of their territory, and also for their right to defend themselves against aggression or invasion from without, but only within the limits of their own countries, and

Considering it necessary to formulate essential directives for such international organs as may be called upon to determine which party is guilty of attack,

Declares:

1. That in an international conflict that State shall be declared the attacker which first commits one of the following acts:

- (a) Declaration of war against another State;
- (b) Invasion by its armed forces, even without a declaration of war, of the territory of another State;

/(c) Bombardment
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(c) Bombardment by its land, sea or air forces of the territory of another State or the carrying out of a deliberate attack on the ships or aircraft of the latter;

(d) The landing or leading of its land, sea or air forces inside the boundaries of another State without the permission of the Government of the latter, or the violation of the conditions of such permission, particularly as regards the length of their stay or the extent of the area in which they may stay;

(e) Naval blockade of the coasts or ports of another State;

2. Attacks such as those referred to in paragraph 1 may not be justified by any arguments of a political, strategic or economic nature, or by the desire to exploit natural riches in the territory of the State attacked or to derive any other kind of advantages or privileges, or by reference to the amount of capital invested in the State attacked or to any other particular interests in its territory, or by the affirmation that the State attacked lacks the distinguishing marks of statehood;

In particular, the following may not be used as justifications for attack:

A. The internal position of any State; as, for example:

(a) The backwardness of any nation politically, economically or culturally;

(b) Alleged shortcomings of its administration;

(c) Any danger which may threaten the life or property of aliens;

(d) Any revolutionary or counter-revolutionary movement, civil war, disorders or strikes;

(e) The establishment or maintenance in any State of any political, economic or social system;

B. Any acts, legislation or orders of any State, as for example:

(a) The violation of international treaties;

(b) The violation of rights and interests in the sphere of trade, concessions or any other kind of economic activity acquired by another State or its citizens;

(c) The rupture of diplomatic or economic relations;

(d) Measures in connexion with an economic or financial boycott;

(e) Repudiation of debts;

/(f) Prohibition

- (f) Prohibition or restriction of immigration or modification of the status of foreigners;
- (g) The violation of privileges granted to the official representatives of another State;
- (h) Refusal to allow the passage of armed forces proceeding to the territory of a third State;
- (i) Measures of a religious or anti-religious nature;
- (j) Frontier incidents.

3. In the event of the mobilization or concentration by another State of considerable armed forces near its frontier, the State which is threatened by such action, shall have the right of recourse to diplomatic or other means of securing a peaceful settlement of international disputes. It may also in the meantime adopt requisite measures of a military nature similar to those described above, without, however, crossing the frontier.
