



Chairman: Mr. Zenon ROSSIDES (Cyprus).

AGENDA ITEM 89

**Report of the Special Committee on the
Question of Defining Aggression (continued) (A/8419)**

1. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that aggression was far from being an abstract concept for the Soviet Union, since it had had to confront imperialist attacks twice in one generation. Other countries, particularly the Arab countries, also had a concept of aggression derived from actual experience.

2. In the preamble to the Charter, the United Nations stated its determination to save succeeding generations from the scourge of war. One of the best ways in which the Organization could achieve that objective was by fostering friendly relations among States and opposing aggression. His delegation was convinced that the definition of aggression was a task of major importance and great urgency, since it was directly linked to collective peace and security. Moreover, that view was shared by a large number of other States, as evidenced by General Assembly resolution 2644 (XXV), in which it affirmed the desirability of achieving the definition of aggression as soon as possible. The urgency of the question was also emphasized in the Declaration on the Strengthening of International Security, contained in General Assembly resolution 2734 (XXV). The developing countries attached the utmost importance to the definition of the question of aggression, and consultations had recently been held between non-aligned States at the ministerial level with a view to reaching an agreement on the definition, in order to prevent any use of force and to induce aggressors to account to the international community for their acts.

3. A precise definition of aggression would undoubtedly represent a legal advance and would strengthen the collective security machinery provided for in the Charter, in particular by helping the Security Council to determine when an act of aggression had been committed and to take appropriate steps to put an end to it. The definition of aggression might also serve to deter potential aggressors.

4. Accordingly, his delegation attached the utmost importance to the work of the Special Committee on the Question of Defining Aggression. It believed that all the necessary conditions now existed for the Special Committee to prepare a definition of aggression which could be speedily accepted by all. Substantial progress had in fact already been made. That was due, in particular, to the

emergence into the international community of new States, a development which had led to a radical change in attitude by countries originally opposed to the definition of aggression. For instance, the United Kingdom delegation had stated at the 1271st meeting that such a definition was not only useful but essential.

5. At the 1970 session of the Special Committee the Working Group had succeeded in bringing conflicting views closer together. Paragraph 19 of the report of the Special Committee on its 1971 session (A/8419) stated that agreement had been reached on two very important points, namely that the general definition of aggression should reflect the concept of aggression as contained in the Charter and that the list of acts constituting aggression should be accompanied by a statement to the effect that they were listed without prejudice to the fullness of the powers of the Security Council. Again, paragraph 21 of the report noted that there appeared to have been no objection to the view that any definition of aggression should safeguard the discretionary power of the Security Council. In paragraph 26 it was stated that there had been no fundamental objection to the idea that the definition should be limited to the use of armed force. Finally, according to paragraph 31, no representatives appeared to have objected to the inclusion of the principle of priority in the definition of aggression.

6. Any impartial observer considering annex III to the report of the Special Committee, which reproduced the report of the Working Group, could see that the points of agreement and disagreement had now been clearly defined and that the main elements of a definition had already been assembled. It was currently necessary to reconcile the remaining differences of opinion so as to reach a final solution. Undoubtedly, the definition of aggression raised problems of great theoretical and practical complexity since the vital interests of States were involved. However, as the representative of Egypt had emphasized in his statement at the 1269th meeting, the Special Committee, at its 1971 session, had come much nearer to defining aggression than anyone in the past 40 years. There was therefore reason to hope that the work of the Special Committee would be successfully completed in the near future and that the General Assembly would be able to adopt a definition of aggression in a declaration similar to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV).

7. Among the outstanding major difficulties should be mentioned, first of all, the tendency of some States to

confuse the concept of direct armed aggression with that of indirect aggression. That confusion, which was reflected in the six-Power draft (*ibid.*, annex I, draft proposal C), was unquestionably very dangerous, since it had the effect of allowing the right of self-defence recognized in Article 51 of the Charter to be exercised in cases of indirect aggression. That would give the concept of self-defence a broader meaning contrary to the provisions of the Charter. Failure to distinguish between direct and indirect aggression would be tantamount to amending the Charter on a point of paramount importance and would open the way for preventive wars. For that reason, his delegation felt that it was essential to make a clear distinction between the two concepts. In that connexion, paragraph 7 of the 13-Power draft (*ibid.*, draft proposal B) contained an interesting provision whereby a State which was a victim of acts of indirect aggression could take adequate steps within its own territory without having recourse to the right of self-defence.

8. A second difficulty concerned the legitimate use of force, a question dealt with in the three drafts submitted. Article 51 of the Charter expressly provided that the right of self-defence could be exercised in the event of armed attack. However, some members of the Special Committee had taken a position which deviated from the Charter. The six-Power draft, for instance, although recognizing the inherent right of self-defence, did not specify in what circumstances that right could be exercised. According to the Charter, the letter and spirit of which should be respected, that right could be exercised only in the event of an armed attack; the ambiguity of the six-Power draft on that point presented very definite dangers. It should also be pointed out that, while enforcement action was provided for in Chapters VII and VIII of the Charter, the only United Nations organ vested with power to use force on the Organization's behalf was the Security Council. Yet some members of the Special Committee had wished to extend that power to the General Assembly, and others to the regional organizations.

9. A third point of disagreement concerned the *animus aggressionis*, or aggressive intent, which meant essentially the subjective intention to commit a crime. Some members felt that that was a difficult concept to define. That was certainly true if it was left to the aggressor himself to decide whether that intention really existed. However, it should be observed that it was for the Security Council to determine whether aggression had been committed, and the element of intent was extremely important in each specific instance of aggression. Furthermore, almost all members of the Special Committee had recognized that aggressive intent could always be presumed, since it was hard to imagine aggression being committed inadvertently. The element of intent was an important notion which was taken into consideration by all legal systems, and also by the Charter – it was mentioned, *inter alia*, in Article 2, paragraph 4, which referred to the use of force in any manner inconsistent with the purposes of the United Nations, and also in Article 51, which provided that the right of self-defence should be exercised for the sole purpose of repelling an armed attack. It should be emphasized that, if the definition of aggression did not include that element, its sphere of application would be limited; in particular, it would not apply to cases where exercise of the right of

self-defence developed into actual aggression. That was therefore a highly complex but essential element in a definition of aggression.

10. Other differences of opinion had emerged in the Special Committee regarding such matters as political entities other than States, the concept of proportionality and the right of dependent peoples to use force to obtain independence. The Soviet Union's position on all those points was well known, and there was no need to repeat it.

11. However, his delegation felt that efforts to overcome the remaining difficulties should be redoubled and believed that the Sixth Committee should request that the mandate of the Special Committee should be renewed, so that it could complete its work as soon as possible.

12. With regard to the Special Committee's working methods, his delegation supported the suggestions made by the delegations of Guyana (1268th meeting) and Ghana (1270th meeting). At present, the Special Committee had only one Working Group. Several small but representative groups should be established which would meet concurrently to consider the major differences of opinion and report to the Special Committee.

13. Mr. AL-ATRASH (Syrian Arab Republic) thought that the progress made by the Special Committee at its 1971 session made it reasonable to hope that a generally acceptable definition of aggression could be formulated. In fact, the Sixth Committee in drafting the Declaration on Friendly Relations had shown that the inherent difficulties were not insurmountable. The Declaration should be extremely useful to the Special Committee, since it contained all the basic elements required for drawing up a definition of aggression.

14. The need for defining aggression arose in particular from Article 1, paragraph 1, of the Charter, and the hard facts of the international situation today made the need even more urgent. In his delegation's view, the definition should furnish practical remedies for flagrant acts of aggression such as that on which the Security Council had had to take a decision in November 1970. In the case in point there had been an infringement not only of the principle of prohibition of the use of force but also of the sovereignty and territorial integrity of a State, and a serious violation of the Charter of the United Nations, endangering the peace in a particular region and indeed throughout the world. Article 39 of the Charter stipulated that the Security Council shall determine the existence of any threat to the peace, but it was the task of the Special Committee to draw up an objective definition which would in practice discourage the perpetration of acts of aggression and where appropriate require the perpetrator to make reparation.

15. His delegation considered that if the Special Committee was to bring its work to a speedy conclusion it must abandon all idea of including in the definition some of the concepts embodied in the draft contained in annex I to the report, more particularly those of indirect aggression, political entities other than States, and aggressive intent.

16. With regard to indirect aggression, several delegations had pointed out that the definition should be confined to

direct armed aggression, the only form justifying the exercise of the right of self-defence. Any attempt to include the concept of indirect aggression in the definition would involve lengthy discussions on aggressive acts far less serious than acts of direct armed aggression and would therefore hold up the completion of the Special Committee's work.

17. With regard to the concept of political entities other than States which appeared in the six-Power draft, his delegation was convinced that its inclusion would unnecessarily complicate the definition.

18. Similarly, it was highly desirable to omit the concept of aggressive intent. It would be an extremely slow and difficult process to establish the existence of aggressive intent, and the procedures to be instituted in such circumstances might well run counter to the interests of the injured State.

19. On the other hand, his delegation considered that the legal consequences of aggression should be embodied in the definition. The Charter of the United Nations expressly condemned all territorial gains resulting from the use of force. The definition should also assist the Security Council in determining the responsibility of the aggressor and requiring him to make full amends to his victim. Hence a definition of aggression could only be effective if it included sanctions calculated to ensure the observance of the principles contained in it.

20. He expressed the hope that the People's Republic of China would be invited to take part in the work of the Special Committee; that the latter would be invited to resume its work in 1972; and that all delegations would show the spirit of goodwill necessary to ensure that its work was brought to a successful conclusion.

Mr. Pollard (Guyana), Vice Chairman, took the Chair.

21. Mr. COVACI (Romania) said that the principles embodied in the Charter of the United Nations were the basis of the relations between States and the cornerstone of international peace and security; and a definition of aggression must be formulated on the basis of those principles. It must constitute a legal and political instrument for the prevention of acts of aggression, and where applicable for the punishment of those guilty of such acts. As the Romanian Government had already pointed out, the formulation of a definition of aggression would therefore be an important contribution to the strengthening of international security, and hence the Members of the United Nations should support the efforts of the Special Committee to enable it to achieve a generally accepted definition as soon as possible. His delegation was convinced that the difficulties could be overcome provided all the Member States displayed the political will to attain that objective. The arrival on the political scene of a large number of independent States anxious to strengthen international peace and security was bound to be helpful to the Special Committee in carrying out its task. It would no doubt also be stimulated by the distinct improvement in the international climate, the more and more evident desire of the peoples of the world to live in peace, and the recent admission of the People's Republic of China to the United Nations.

22. His delegation appreciated the efforts made in the Special Committee to seek generally acceptable solutions and to clarify certain elements to be included in the definition. Any definition must obviously respect the interest of all peoples in maintaining and strengthening world peace and security. Hence, in accordance with its terms of reference, the Special Committee should take account of the opinions and suggestions of all the Member States. The Romanian delegation was in favour of prolonging the 1972 session of the Special Committee, provided that full use was made of the additional meetings to debate the various outstanding problems in depth and to engage in fruitful negotiations with a view to settling controversial questions.

23. With regard to the content of the definition, his delegation considered that it should cover all cases of the use of armed force against the territorial integrity and political independence of another State. Article 39 of the Charter of the United Nations referred to acts of aggression in general, and thus to all illicit use of armed force. Similarly, the Declaration on Friendly Relations defined in a very general way the principle of prohibition of the use of force, as did also the Declaration on the Strengthening of International Security. His delegation considered that it should be expressly stipulated in the definition of aggression that no consideration of a political, military, economic or other character could be invoked to justify the use of force against another State. The definition should further specify that it applied to acts of aggression committed by a group of States against one or more other States and that where a State placed its territory at the disposal of another to enable it to commit aggression against a third State, that likewise constituted an act of aggression.

24. Any definition of aggression should be based on objective criteria. Hence his delegation was in favour of including the principle of priority in the definition, while pointing out that the principle should apply in the context of objective situations actually existing, and not automatically.

25. With regard to the legitimate use of force, the definition should make clear provision for the right of colonial peoples to resort to any means, including the use of force, in their struggle for freedom and independence. That was a right embodied in the Charter and recognized in a number of other instruments adopted by the General Assembly, in particular resolution 2621 (XXV).

26. The inclusion of the various elements he had mentioned in the definition of aggression would reinforce both the preventive and the incriminating functions it must necessarily possess if it was to make a real contribution to eliminating the use of force from international life and encouraging détente and co-operation.

27. Mr. ZALDIVAR BRIZUELA (El Salvador) said that the various draft proposals before the Special Committee illustrated clearly the differences of opinion and interests still subsisting among members and the extremely difficult nature of its task. His delegation nevertheless felt that the Special Committee had made tremendous progress during its 1971 session.

28. The definition of aggression should preserve the discretionary powers of the Security Council. It should be applicable to all States, whether Members of the United Nations or not, since any State could be the perpetrator or the victim of an act of aggression. The definition should not refer to political entities other than States, since such entities could not always be regarded as subjects of international law on the same footing as States. The definition should therefore be based exclusively on the notion of States, as defined in the Charter.

29. On the other hand, his delegation considered that a definition of aggression which failed to mention the indirect use of armed force in connexion with the right of self-defence might undermine the very foundations of that right, which was an inherent right whose exercise should be regarded as justified in all cases of aggression, whether direct or indirect. Moreover, it should be remembered that indirect aggression might have more serious consequences than direct aggression; his delegation could therefore not accept the theory advanced in the Working Group of the Special Committee that the same distinction should be drawn between direct aggression and indirect aggression as between an armed attack and a breach of the peace.

30. His delegation shared the view that aggression was a physical act of a particularly grave character which could be objectively observed, except in the case of certain forms of aggression such as economic aggression. Even those delegations which were opposed to including the concept of indirect aggression in the definition acknowledged that, in certain cases, the fact that a State organized, supported, or directed armed bands which made incursions or infiltrated into another State could be equivalent to an armed attack and entitle the injured State to invoke the right of self-defence to resist such acts.

31. With regard to aggressive intent, his delegation considered that it constituted a subjective element which it was essential to include in the definition of aggression, since it made it possible to distinguish between an act of aggression properly speaking, on the one hand, and an unpremeditated incident or an act of self-defence, on the other. His delegation agreed with those delegations which held that, although it was difficult to take into consideration the motives of a party committing an act of aggression, it was possible and essential to take account of the aggressive intent revealed by such an act.

32. With regard to the principle of priority, his delegation was of the opinion that it should be taken into account together with other elements, including intent, and that it could serve only to establish a simple and rebuttable presumption of guilt.

33. His delegation supported the Special Committee's recommendation (see A/8419, para. 66) that the General Assembly should invite the Special Committee to resume its work in 1972.

34. Mr. GUNAY (Turkey) expressed gratification at the progress reflected in the report of the Special Committee, and especially at the fact that all the States concerned currently recognized the desirability and necessity of defining aggression.

35. Turkey, as a member of the Special Committee, had already had an opportunity to state its position on the various elements to be included in the definition. His delegation wished to reaffirm what it had previously said on the subject in the Special Committee and the Sixth Committee. He would therefore confine himself to making a few comments on working methods.

36. With regard to methods of work, he considered that the composition of the Working Group established by the Special Committee was unsatisfactory and that if other working groups were appointed in the future, provision should be made for the representation of States other than those which had sponsored the various draft proposals.

37. The efforts of the Working Group established at the 1971 session of the Special Committee had resulted in the preparation of a single text (*ibid.*, annex III), in which certain expressions were placed in brackets in order to indicate the divergences of views which had emerged. It might be worthwhile considering extending the next session of the Special Committee in order to enable it to reconcile the opposing viewpoints by finding compromise solutions.

38. If it was to contribute to the development of international law and be of practical value to the organs responsible for peace-keeping, the definition of aggression should cover all uses of force, whether direct or not.

39. His delegation had noted with interest the suggestion made by the Ceylonese representative at the 1269th meeting that the definition should include a mention of those areas, such as outer space and the sea-bed and ocean floor, which were the common heritage of mankind and as such should be used exclusively for peaceful purposes. That suggestion should be given careful consideration.

40. His delegation would support any resolution inviting the Special Committee to continue its work.

41. Mr. MORALES SUAREZ (Colombia) said that the international community's interest in the question of defining aggression was reflected in two of the main texts adopted by the General Assembly at its twenty-fifth session, namely the Declaration on the Strengthening of International Security—in particular paragraphs 4, 5, 8 and 14—and the Declaration on Friendly Relations—especially the first principle.

42. He recalled that the Special Committee's terms of reference had been established in General Assembly resolution 2330 (XXII), which had instructed it "to consider all aspects of the question so that an adequate definition of aggression may be prepared and to submit to the General Assembly . . . a report which will reflect all the views expressed and the proposals made". It would obviously be desirable for the members of the Special Committee to reach unanimous agreement. Nevertheless, if that proved impossible, a very large majority would suffice in order for the definition to have a deep impact on international life. It should not be made an essential condition that the permanent members of the Security Council should accept the definition. Apart from the fact that resolution 2330 (XXII) made no reference to such a condition, that

would be an abusive extension of the sphere of application of the right of veto, as the representative of Burma had pointed out (1270th meeting). Nor should there be any apprehension that the Security Council's ability to take action would be limited by the definition; on the contrary, the definition would be an instrument placed at the Council's disposal. In order to attain that objective, it would be advisable to make the Special Committee's working methods more flexible, taking into account, *inter alia*, the remarks made on the subject by the representative of Ghana (*ibid.*). His delegation also appreciated the value of the contribution made by Mexico in submitting the working paper reproduced in annex IV to the Special Committee's report.

43. Although the 13-Power draft (see A/8419, annex I, draft proposal B) summed up the position of Colombia, which was one of the sponsors of that text, his delegation wished to clarify a number of points. Concerning the concept of political entities, it considered that the definition should not apply to States only, because that might raise serious problems. With regard to the acts to be included in the definition, his delegation endorsed the relevant provisions of the 13-Power draft. He wished to point out that the purpose of paragraph 7 of that text was not to authorize States to preserve their integrity or maintain order in their territory; those were elementary prerogatives, for which States needed no authorization. His delegation regarded the principle of priority as fundamental and noted, moreover, that the draft of the Soviet Union (*ibid.*, draft proposal A) also recognized its importance. While his delegation did not reject *a priori* the Working Group's suggestion that that principle should be formulated independently of the definition, it felt that the matter should be given careful scrutiny. On the other hand, the concept of aggressive intent, which was both complex and subjective, might hold up the work of the Special Committee, which might be well advised to remove it from the definition, a step that would, moreover, in no way prevent the Security Council taking that factor into account for the purpose of establishing whether or not an act of aggression had been committed. With regard to the legitimate use of force, action by regional agencies should be placed under control, while remaining effective in view, on the one hand, of its urgent character and, on the other, of the difficulties which action by the Security Council frequently encountered. His delegation believed that there was no need to include in the definition a statement of the right of peoples to self-determination, unless that was done in the form of the reservation of that right in paragraph 10 of the 13-Power draft. It considered it essential, however, to specify the legal consequences of aggression and could not accept any compromise on that point. Moreover, paragraphs 8 and 9 of the 13-Power draft were not incompatible with paragraphs 4 and 5 of the draft of the Soviet Union and, taking into account the terms used in paragraph IV A, subparagraphs (1) and (2) of the six-Power draft (*ibid.*, draft proposal C) there were grounds for hope that agreement might be reached on that question.

44. His delegation fully recognized the value of the nine elements set forth in the working paper submitted by Mexico to the Special Committee but feared that the addition of too many elements might make the definition

too complicated. He hoped that the Special Committee would be allowed to complete its work.

45. Mr. KOSTOV (Bulgaria) stressed the need for a definition of aggression, the lack of which sometimes served as a pretext for United Nations organs to avoid classifying as aggression acts which were the most flagrant examples of it. The urgency of that legal and political task had, moreover, been recalled by the General Assembly in the penultimate preambular paragraph of its resolution 2644 (XXV). It had also been affirmed at the inter-ministerial consultative meeting of the non-aligned States to which the USSR representative had already referred and whose communiqué had stressed the direct link which existed between the definition of aggression and efforts to strengthen international security. That link had been reaffirmed by the General Assembly in paragraph 11 of the Declaration on the Strengthening of International Security, which had been adopted unanimously at the twenty-fifth session. In his delegation's view, that Declaration gave the lie to the argument that the definition of aggression was merely an academic exercise. It was true that a definition of aggression would not in itself suffice to eliminate force from international life. However, in view of the growing role of the United Nations in the field of peace-keeping and the strengthening of international security, it would be of primordial importance as a guide to the Security Council.

46. The progress made in the Special Committee's work had been attributed by some representatives to the fact that a number of western States whose attitude had thus far been negative had now presented their own proposed definition. While that might be true, it was regrettable that they had not refrained from involving the Special Committee in protracted and sterile discussions, for example, on the concept of political entities, or reintroducing during the debate various ideas and proposals already rejected by the majority. His delegation felt strongly that the success of the Special Committee's work would depend above all on the existence among all members of the political will to achieve it.

47. A further essential condition for the success of the Special Committee's work was the adoption of suitable working methods. The Special Committee would be well-advised to examine that question in the light of the observations made by several representatives, and especially of the proposal by the Guyanese delegation for the establishment of a number of working groups. Another useful idea would be to hold the consultations regarding the composition of the groups before the Special Committee began its session and thus enable it to concentrate on substantive questions. That substantive work should proceed, furthermore, on the basis of the conclusions embodied in the report of the preceding session, whereas the tendency seemed to be for the Special Committee to start all over again at every session. In conclusion, his delegation was strongly in favour of the application of the principle of consensus within the Special Committee. What made approval of the definition by the great majority of States, including all the permanent members of the Security Council, the more necessary was precisely the fact that one of the definition's main functions would be to serve the Council as a guide. It was true that the efforts to reach a

consensus might provide a pretext for prolonging the work of the Special Committee indefinitely. The fault, for all that, was not in the principle itself but in its abuse. However, those criticisms of points of detail should not overshadow the main fact, namely, that the process of formulating the basic elements of the definition had begun.

48. The Working Group had been right in setting about drafting the various formulations by placing the controversial parts of the text between square brackets, and in framing the general definition of aggression in accordance with that method the Special Committee had done a successful piece of work. It would be advisable, nevertheless, to avoid defining aggression by concepts which were themselves ill-defined, such as territorial waters and airspace.

49. Another matter for congratulation was the harmonization of views which had taken place in respect of the principle of priority and of aggressive intent. Regarding the former, his delegation hoped that all the delegations would finally recognize that priority was a fundamental element of aggression, as was clearly indicated in Article 51 of the Charter, and that that essential criterion required separate definition. In those circumstances, the clause "due weight shall be given to the question whether" in paragraph 5 of the Working Group's report was unsuitable for the purpose sought by the definition of aggression. As far as aggressive intent was concerned, the Special Committee had made a great step forward by recognizing that element to be inherent in any aggression. It should be noted, further, that the element of aggressive intent was implicitly present, in very much the same manner, in the preamble to the three drafts: the sixth paragraph of the draft of the Soviet Union, the fifth paragraph of the 13-Power draft and the fourth paragraph of the six-Power draft.

50. Whereas the great majority of the Special Committee members had considered that the definition of aggression should be applied to States only, a considerable part of the time allotted to the Working Group had been uselessly devoted to the question of the so-called political entities, for reasons which had nothing to do with the question of aggression and at the risk of calling in question the very concept of a State, which was the clearest and best-defined concept in international law. Contrary to what had been claimed, the concept of political entity had nothing to do with non-recognition of one State by another. Non-recognition of a State by another State could never result from other than a transitory policy, as had recently been

seen in the case of China, whereas the definition of aggression related to the long-term interests of all.

51. It was his firm hope that the Sixth Committee would unanimously recommend to the General Assembly that the Special Committee be invited to resume its work.

52. Mr. IBRAHIM (Sudan), while welcoming the progress made by the Special Committee, wondered whether it had not been too ambitious. The definition of aggression had to be understood within the existing system of international law. In seeking to go beyond that law, the Special Committee had ended up in some confusion, as was evidenced by the polemics on political entities other than States and aggressive intent. His delegation was against the inclusion in the definition of the first of those two concepts, the practical scope of which was open to doubt, as could be seen, for example, in the case of some countries non-Members of the United Nations which were recognized by some of the Members of the Organization but not by others. It would much prefer to have the definition applied to States only. Similarly, the concept of aggressive intent should be rejected, whether it was viewed as a question of intention or of motive. As far as motives were concerned, they defied all enumeration. In the case of intention, in the legal sense of *animus*, the act of aggression was so flagrant as to render it superfluous to prove such intent. Moreover, difficult as it was to prove intention with regard to individuals, it would be even more so with regard to Governments.

53. On the other hand, his delegation was in favour of including the principle of priority, which was essential for determining who the aggressor was. It was also in favour of including the right of peoples to self-determination, the violation of which should be regarded as an aggression leading to the right of self-defence. The final wording of the definition should also specify other legitimate uses of force.

54. His delegation approved the non-exhaustive list of acts of aggression drawn up by the Working Group. It would be improved, however, by making provision for the suggestion by the Ceylonese delegation (1269th meeting) that the definition of aggression should also be applied to the use of force against the régimes set up by the international community in the case of certain areas. It would be essential to specify that the list had been established without prejudice to the authority vested in the Security Council by the Charter.

The meeting rose at 1.10 p.m.