Duties of States in the event of the outbreak of hostilities (continued)

1. Mr. VIJLAN (Yugoslavia) wished to draw attention to errors made in the reproduction of his delegation's draft resolution (A/C.1/604/Rev.1). That revised text was the result of the discussions in the Committee and was based on the suggestions and amendments which had been put forward by various delegations; it was hoped that the draft would now prove acceptable to the majority.

2. The preamble had been slightly modified to adhere more closely to the wording of the Charter. In the operative part, a new paragraph I had been introduced to make clear the relation between the obligations laid down in the resolution and the right of self-defence. Paragraph 2 contained the ideas which had been in the first two paragraphs of the original draft and took into account the comments that it would be better not to set a precise time for effecting the cease-fire and the withdrawal of troops. The Yugoslav delegation preferred the earlier text but sought to accommodate the Committee. Paragraphs 3 and 4 took into account the adoption by the General Assembly of the resolution entitled “Uniting for peace” (A 1456, resolution A) by virtue of which had been set up the Peace Observation Commission. Paragraph 5 took note of the view that violation of the terms of the resolution in itself would not be sufficient to determine an aggressor. However, such violation remained as a factor to be taken into consideration. Although the revised draft represented a compromise, it would nevertheless establish a new obligation on States.

3. Mr. LOOGE (United States of America) expressed his appreciation to the Yugoslav delegation for its consideration of the United States' suggestions. The revised draft was a valuable contribution and the United States delegation would support it. It was to be hoped that the Swedish delegation would withdraw its amendment (A/C.1/611) which would have referred the Yugoslav draft resolution to the International Law Commission. In its revised form, the Yugoslav draft resolution was a proposal upon which the General Assembly could and should take action during the present session. The United States delegation (386th meeting) had expressed doubts on the relevance of the consideration of the Soviet Union draft resolution (A/C.1/608) under the present agenda item. Moreover, an effort to define aggression might have a mischievous effect as it might only produce incomplete definitions. It was doubtful whether the International Law Commission should try to draw up a definition of aggression. The Commission had made no attempt to define aggression when it had formulated "the principles of international law recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal". The Commission was still engaged in preparing a draft code of offences against the peace and security of mankind but did not appear to be attempting to define aggression.

4. The United States delegation felt that in the present circumstances it would be particularly difficult to define aggression and would therefore vote against both the Soviet Union and the Syrian draft resolutions (A/C.1/610). If, however, the majority was of the opinion that the question of defining aggression needed further study, the matter could be referred to the Interim Committee.

5. Mr. LOURIE (Israel) observed that the object of the Syrian draft resolution and the Swedish amendment thereto in referring to the International Law Commission the matter of defining aggression was to defer a decision on the Soviet Union draft resolution. The Swedish amendment would refer to the Commission

---

1 See Official Records of the General Assembly, Fifth Session, Supplement No. 12, Part III.
2 Ibid., Part V.
of the Yugoslav draft resolution together with the proceedings of the First Committee. It was doubtful whether that procedure would be desirable inasmuch as the International Law Commission had been set up by General Assembly resolution 174 (11) for the purpose of encouraging the progressive development of international law and its codification. While it was true that the Commission had been given a number of special assignments, such as drafting a declaration on the rights and duties of States (resolution 177 (11)), some concern had been expressed in the Sixth Committee lest those assignments prove harmful to the basic work of the Commission. The Sixth Committee had even adopted (222th meeting) a draft resolution inviting the International Law Commission to review its statute. The Israeli delegation felt that the First Committee should hesitate before extending a practice which the competent Committee considered prejudicial.

6. It had been stated that the International Law Commission was already engaged on a similar study. That, however, was not quite correct, for its studies concerned the preparation of a draft code of offences against the peace and security of mankind. In the preliminary report, the Rapporteur envisaged the waging of aggressive war as the principal crime, but had recommended that the Commission should refrain from defining aggression. It would be wrong to impose on the Commission a task which it considered useless. The Israeli delegation would therefore oppose the Syrian draft resolution as amended by the Swedish delegation.

7. With regard to the Soviet Union draft resolution, the Israeli delegation was of the opinion that the list it submitted did not and could not exhaust all forms of aggression and was therefore of doubtful value. Consequently, the Israeli delegation would abstain from voting on that draft. It believed that the decision on whether certain actions constituted aggression should be made by the proper organ of the United Nations on the merits of each case.

8. With regard to the Yugoslav draft resolution, the Israeli delegation reserved its position.

9. Sir Frank SOKICE (United Kingdom) said that his delegation (384th meeting) had had some doubts on the original text of the Yugoslav draft resolution as it seemed to put the victim of aggression at a disadvantage. Since account had been taken of those difficulties, the amended draft seemed satisfactory and constituted an effective effort for the maintenance of peace.

10. The United Kingdom delegation wished to propose an amendment (A/C.1/614) to paragraph 2 of the operative part of the revised draft resolution submitted by Yugoslavia. The amendment proposed the addition, after the words "proclaim its readiness", of the words "provided that the States with which it is in conflict will do the same", and to replace the end of that paragraph, after the words "a demarcation line", by the words "either on terms agreed by the parties to the conflict or under conditions to be indicated by the parties by the appropriate organs of the United Nations". Sir Frank hoped that the Yugoslav delegation would agree to those modifications which would enable the United Kingdom delegation to support the Yugoslav draft resolution.

11. Mr. VILFAN (Yugoslavia) said that his delegation would accept the United Kingdom amendment.

12. Mr. WINNEWICZ (Poland) remarked that the Yugoslav draft resolution had undergone a number of revisions and further changes were now being proposed. The Committee would, however, recall the two basic observations of the Polish delegation. The latter had referred (386th meeting) to provisions of the Charter which in its view had been disregarded by the Yugoslav delegation and it considered that the word "and the substance of the draft resolution would assist an aggressor. The Polish delegation approached the revised draft with those considerations in mind.

13. The Yugoslav draft resolution continued to disregard the fundamental duties of States prior to the outbreak of hostilities. Those duties were contained in Chapter VI of the Charter. In cases of danger to international peace, the Security Council was to take such action as it might consider necessary, and it was agreed that the Yugoslav draft resolution continued to disregard the provisions of Article 39 of the Charter which embodied those functions.

14. The Polish delegation submitted that paragraph 1 of the operative part not only disregarded the Charter but also gave a State the right to take the law into its own hands. That was not the correct procedure to follow even for a State which had been attacked, for it should turn to the Security Council. Paragraphs 1 and 2 referred to both the victim and the aggressor State, and the two paragraphs were linked together by the phrase "In particular such State shall immediately..." It would appear that the Yugoslav delegation wished to say that an aggressor would be able to invade an unprepared nation with atomic weapons and other modern means of warfare and so paralyse it that its government could no longer function and even be unable to appeal to the Security Council. Yet it was proposed to exonerate the aggressor from all blame if it declared his readiness to withdraw. Paragraph 5 stated that the conduct of the States concerned should be taken into account in determining responsibility for a breach of the peace. In the hypothetical case under discussion the victim would be paralysed, and the aggressor would achieve his objective within twenty-four hours and still be clear of all blame. Such proposals would not prevent any form of aggression.

15. Paragraph 2 evidently dealt with the duties of an aggressor and would permit him, after making the required statement, to be exonerated from all blame. Such a provision would be of assistance to the aggressor, for within twenty-four hours an aggressor could invade an unprepared nation with atomic weapons and other modern means of warfare and so paralyse it that its government could no longer function and even be unable to appeal to the Security Council. Yet it was proposed to exonerate the aggressor from all blame if it declared his readiness to withdraw. Paragraph 5 stated that the conduct of the States concerned should be taken into account in determining responsibility for a breach of the peace. In the hypothetical case under discussion the victim would be paralysed, and the aggressor would achieve his objective within twenty-four hours and still be clear of all blame. Such proposals would not prevent any form of aggression.

16. Paragraph 3 of the operative part was no more than an unnecessary repetition of the provisions of the Charter, although elsewhere the Charter was disregarded. Paragraph 4 referred to the Peace Observation Commission, but the question of having recourse to that Commission was for the Security Council or the General Assembly to decide. The proper procedure was laid down in the resolution entitled "Uniting for peace". The victim of aggression might be paralysed with such speed as to be unable to ask for the dispatch of the Commission.

17. The Yugoslav draft resolution was clear and in the interest of the process would be acceptable as long as it did not offer any difficulties to the vote agreed to.

18. Mr. C. F. BACON (United Kingdom) said that in the Yugoslav manner to deal with it, the Swedish delegation (A/C.1/614) had suggested that the Yugoslav delegation wished to introduce a new paragraph (paragraph 5) which the Yugoslav delegation reserved its position.

19. Mr. L. HABIB (Egypt) believed the Polish proposals on the agenda before the Committee seemed suitable for a vote for it. Changes of the form paragraph referred to in paragraph 4 that it referred to only pointed to a vote which should be taken.

20. Sir R. TAYLOR (United Kingdom) said that the First Committee would be in a position to vote on the revision of the Yugoslav proposals of the last paragraph.

21. RAJAIRENDRAN (India) said that the Yugoslav delegation wished to introduce a new paragraph (paragraph 5) which referred to the Peace Observation Commission, but the Yugoslav delegation reserved its position.

22. With regard to the Yugoslav draft resolution, whether possible, and difficult to make a clear statement of the idea of bringing the resolution to that stage. In particular, the representative of the United Kingdom to the United Nations agreed that the resolution might not contain all that was necessary. This was an important point of principle. In paragraph 4, the word "hostilities" was retained, and this regard to the opinion of the Security Council, as well as recommend the outline of the Peace Observation Commission for the moral kind of a proposal to a more clear and unamended version of the resolution.

In paragraph 5, the word "hostilities" was retained, and this regard to the opinion of the Security Council, as well as recommend the outline of the Peace Observation Commission for the moral kind of a proposal to a more clear and unamended version of the resolution.
17. The Yugoslav revised draft resolution was not new. It was not intended to replace the Yugoslav draft resolution but merely to serve as a guide to the Yugoslav delegation in the preparation of its final draft. However, even if the changes had suggested were not introduced, the Egyptian delegation would still vote in favour of the Yugoslav draft resolution.

18. Mr. GRAFSTROM (Sweden) stated that since the Yugoslav draft resolution had been revised in a manner to enable the members to reach a decision upon it, the Swedish delegation would withdraw its amendment (A/C.1/611) to the Syrian draft resolution.

19. Mr. LACOSTE (France) said that his delegation believed that the Committee should not vote for any proposals which were unrelated to the item of the agenda before it. The Yugoslav revised draft resolution seemed satisfactory and the French delegation would vote for it as amended by the United Kingdom. Some changes of wording might be made which would take into account points raised by the Polish representative.

20. Sir Keith OFFICER (Australia) stated that the revision of the Yugoslav draft resolution met the criticisms of his delegation which would now support it.

21. RAFAFET Bey (Egypt) said that he believed that the French text of the Yugoslav draft resolution would be improved by following the suggestions of the representative of France. The Egyptian delegation wished to put forward a draft resolution (A/C.1/613), which was not a new proposal but a modification, largely textual, of the Yugoslav draft resolution. The Egyptian delegation could not find in the Charter the language used in the first paragraph of the preamble of the Yugoslav draft, although no doubt the principle was implicit. The Egyptian draft rectified the text without changing the substance. Again, in reference to the second paragraph of the preamble, the Charter did not refer to national independence but to political independence. There was a deliberate difference in the meaning and it would be better to conform to the words of the Charter. The Egyptian draft made the appropriate changes in the preamble of the Yugoslav draft.

22. With regard to the operative part of the Yugoslav draft resolution, the Egyptian delegation doubted whether paragraph 1 was necessary. Moreover, it was difficult to reconcile the right of self-defence with the idea of bringing the conflict to an end at an early stage. In paragraph 2, the change proposed by the representative of France should be made in order to show that the reference there was to more than one State. That paragraph also referred to a "demarcation line", but surely the reference should be to political frontiers. In paragraphs 3 and 4 the word "State" again should be plural. Also in those two paragraphs, the word "hostilities" should be used rather than "conflict". With regard to the final paragraph, it should be noted that the recommendations of the General Assembly and the Security Council had no obligations on States except of a mutual kind. If the text was intended to refer to enforcement measures or the right of self-defence, it should be more clearly expressed.

23. The Egyptian draft was not intended to replace the Yugoslav draft resolution but merely to serve as a guide to the Yugoslav delegation in the preparation of its final draft. However, even if the changes had suggested were not introduced, the Egyptian delegation would still vote in favour of the Yugoslav draft resolution.

24. Mr. FRIS (Czechoslovakia) stated that the Yugoslav draft resolution could not be turned into a satisfactory text, as it rested on faulty premises. It began by assuming that in case of hostilities the aggressor would be unknown and that his identity would be revealed only through the procedure provided for in the Yugoslav draft. It then assumed that the aggressor and the victim would have the same legal standing. The revised draft did not remedy those faults which had appeared in the original text.

25. In paragraph 1 of the operative part, it was unclear whether the aggressor or the victim was under discussion. It would appear from the text that the reference was to the victim, but that was contradicted in the following paragraph which referred to the State withdrawing its invasion forces. The confusion in drafting seemed to turn the victim into the aggressor. If the original draft was vague as to the difference between aggressor and victim, the revision had served only to deepen that doubt. Only by guess-work could it be decided which State had the right of self-defence and which should withdraw its forces. Clearly the adoption of the draft resolution would benefit only the aggressor, for it would create an obscure and confused situation in the event of conflict. The draft, moreover, was illogical because of its contradictions.

26. During the general discussion several delegations had pointed out that it was impossible to determine automatically who was the aggressor and who was the victim on the basis of the provisions contained in the Yugoslav draft resolution. The revised draft reintroduced the same con used idea by the back door, and the Czechoslovak delegation therefore did not consider the text satisfactory and would vote against it.

27. It had been contended that the Soviet Union draft resolution (A/C.1/608) was not relevant to the question before the Committee. However, a study of the Yugoslav draft showed that it would be impossible to define the rights and duties of the States concerned until the Committee could define what was aggression and who was an aggressor. The Soviet Union draft resolution could clarify that matter, and the Czechoslovak delegation felt that it should be given consideration and adopted.

28. Mr. AMLI (Lebanon) said that his delegation appreciated the effort made by the Soviet Union to define aggression. The General Assembly had entrusted the International Law Commission with the task of preparing a draft code of offences against the peace and security of mankind. That raised the question whether the Soviet Union draft resolution would be of value since it would result only in a recommendation by the General Assembly. It would be better to have the definition of aggression in the code of international law and, moreover, the International Law Commission was the appropriate body to state whether a definition of aggression would be useful. The Syrian draft resolution...
(A C.1 610) requested that Commission to report on
the matter and the Lebanese delegation would therefore
support it. Mr. Anhawid also vote in favour of
the Yugoslav draft resolution as it would strengthen
the machinery set up by the United Nations for the
maintenance of peace. His delegation reserved its posi-
tion with regard to the Egyptian draft resolution
(A. C.1 614), but suggested that it might be combined with the Yugoslav draft.

29. Mr. VILEKS (Yugoslavia) expressed his appreci-
ation of the Egyptian delegation's intentions. He un-
derstood that some of the proposed changes related only
to the French text and suggested that the Secretariat
might revise the translation.

30. With regard to the other modifications proposed, it
was not difficult to agree to the change in the pre-
amble. The criticism of the last paragraph also might
be met by deleting the reference to rights and obliga-
tions deriving from decisions or recommendations of
the Security Council, the General Assembly and all
other competent organs of the United Nations. The
Yugoslav delegation could hardly accept the other sugges-
tions. Paragraph 1 of the operative part had been
added to take account of the difficulties encountered by
some delegations; it did not seem to be any need to
modify paragraph 2. With regard to the first para-
graph of the preamble, the Egyptian text might need
some modification, for surely the application of the
principle involved should not be limited to the Members
of the United Nations.

31. The representatives of Poland and Czechoslovakia
had persisted in their objections that the draft resolu-
tion would assist the application of sanctions because
of the explanations which had been given. The representa-
tive of Poland had dwelt upon the plight of a victim
which could be paralysed in twenty-four hours. When
it stated its argument, the representative of Poland con-
sidered twenty-four hours too long a period, but in
an earlier debate when they were considering measures
to combat aggression, he had supported the thesis that
the General Assembly need not be called within twenty-
four hours and that a fortnight would be quite soon
enough. That inconsistent stand showed that the Polish
arguments were not derived from logic but from a poli-
tical intention to discredit the Yugoslav draft resolution.

32. Sir Carl BERENDSEN (New Zealand) stated that
at the beginning of the discussion, his delegation had felt
that it would be unable to support the Yugo-
slav draft resolution because it was not convinced that
that draft would have the beneficial effect which was
intended; his delegation had felt that the draft might
complicate matters and even handicap a victim of ag-
gression. Those doubts had been removed by the text
of the revised draft which the New Zealand delegation
could support.

33. Sir Carl did not feel able to discuss the Egyptian
draft resolution, as it had just been received, but it
contained some provisions which appeared to be un-
acceptable.

34. With regard to the Soviet Union draft resolution,
the New Zealand delegation did not agree that it was
impossible to define aggression. At the San Francisco
Conference his delegation had argued in favour of
an attempt to define aggression in words which
would make it possible to prevent an attack which
would lead to aggression could be brought into effect. With such an object in
view, the New Zealand delegation would endorse an
attempt to define aggression but no such object was
present in the draft. Under its proposals, each State would be left to decide not only
what constituted aggression but also whether it would
make the action called for under the Charter. If aggression
were to be excluded in a condition leading to a legal obligation to offer resistance, the New Zealand
definition to aggression should be defined as precisely as possible. But where, as unfortunately was
the case today, aggression was merely one among many
factors leading to a free expression of will by each
Member State, then precision in its definition was
mostly accidental. In practice, there had never been
any dispute on whether aggression had taken place or on
who was the aggressor. Since the Committee was not
seeking to change the situation of aggression, there
was no need to seek definitions. If, however, a definition
were to be attempted, it would be as follows:
paragraph 1. The Committee should reject the Soviet Union draft resolution and should not try to find some substi-
tute text. That practice was unsound, but was growing
more prevalent. Though the New Zealand delegation
would consider an alternative text, it believed that such
a procedure was neither necessary nor desirable. There
were ample means for recognizing and opposing ag-
gression if the will to do so existed. No precision in definition could help the Member States decide to do their
duty.

35. Mr. KISELEV (Byelorussian SSR) was opposed to
the draft resolution submitted by the Soviet Union of draft resolution, to refer the question of the definition
to the Committee of the Soviet Union. His delegation
would add other points included in the Soviet Union draft
parliament and in particular would raise the question of denouncing internal discretion by external pressure.

36. The Committee should reject the Soviet Union
draft resolution and should not try to find some substi-
tute text. That practice was unsound, but was growing
more prevalent. Though the New Zealand delegation
would consider an alternative text, it believed that such
a procedure was neither necessary nor desirable. There
were ample means for recognizing and opposing ag-
gression if the will to do so existed. No precision in definition could help the Member States decide to do their
duty.

37. Any attempt to obtain such a postponement would
indicate a desire to avoid a definition of aggression be-
cause it would be binding upon certain States. That
would probably prevent the opposition of those States,
which had like object agreed in 1933. With regard to the Yugoslav revised draft
resolution, the Ukrainian SSR delegation would vote
against it as it was unacceptable.

38. Mr. Kiselev asserted that the USSR draft resolu-
tion had not been submitted for propaganda purposes.
Quoting the first item of that draft, he maintained that
it was clear-cut attempt to define aggression. He also
denied the charge that the draft did not refer to fanning
of internecine warfare by a third nation. In that respect,
he drew attention to paragraph 2 of the operative part of the Soviet Union draft resolution.

39. The Yugoslav SSR representative concluded by reaffirming that the Committee should vote upon the USSR draft resolution now and not refer the question to any other body.

40. Mr. SARPER (Turkey) said that his delegation would not oppose the Yugoslav revised draft resolution. He reserved his delegation's position regarding the Egyptian draft resolution (A.C.1/613), which it had not had enough time to consider.

41. With regard to the USSR draft resolution Mr. Sarper said that his delegation could not support it. The first paragraph of the draft resolution reproduced the second article of the Convention for the definition of aggression signed at London on 3 July 1932 with the omission, however, of its fifth paragraph. Mr. Sarper read the fifth paragraph in question and added that the omission was of significant importance to his delegation. Turkey, which was a party to the 1923 Convention, considered that Convention still valid and binding. It would not therefore be possible for the Turkish delegation to vote for a draft resolution which omitted that clause. Moreover, while the USSR draft mentioned, in paragraph 2 of the operative part, a number of cases which could not be used as justification for attack, it left out hundreds of other cases which equally ought not to be used as justification for an act of aggression. Moreover, among the cases listed in the USSR draft resolution some were gross violations of international law. For example, sub-paragraph (c) of paragraph 2 A which stated "any danger which may threaten the life or property of aliens"; or sub-paragraph (a) of paragraph 2 B which referred to the "violation of international treaties" among others. The adoption of the USSR draft resolution would amount to giving approval to a number of violations of international law.

42. In conclusion, Mr. Sarper stated that, if he was not mistaken, the Convention for the definition of aggression was open to all States who were willing to be a party to it and that it could be used as a substitute for the present USSR draft resolution.

43. Mr. RETTA (Ethiopia), referring to the Yugoslav revised draft resolution, said that Ethiopia had had an unfortunate experience in regard to the effort to limit hostilities at the time of his country's invasion by Italian forces. He recalled that at that time, acting on the Emperor's order, the Ethiopian Northern Army had withdrawn from the natural defence line formed by the Assab river and that the League of Nations had been informed of the withdrawal. The only result had been the loss of a very useful line of defence. He hoped that the intervention of the Peace Observation Commission would help to make more workable the idea of localizing hostilities, and he was glad to note that that provision had been made clear in paragraph 4 of the operative part of the Yugoslav revised draft resolution.

44. Mr. Retta expressed regret that the Egyptian representative's suggestion (A.C.1/613) had not been accepted in its entirety by the Yugoslav delegation. His delegation felt that the last paragraph of the operative part of the draft resolution should have the following additional phrase: "provided that such rights and obligations have the character of an emergency enforcement action".

45. The Ethiopian representative then gave a brief account of the Walwal incident, which was started by the occupation of a part of Ethiopia by a group of Italian irregulars, and a subsequent claim to the occupied territory by Italian agents, the incident being used as a pretext to start the Italo-Ethiopian conflict.

46. He added that as a result of his country's experience in the past, and in view of the fact that Italy had been appointed, by a United Nations' decision, to administer the Trust Territory of Somaliland, his delegation could not consider satisfactory the present wording of the last paragraph of the Yugoslav revised draft resolution. He explained that he wanted to have that paragraph amended so as to avoid any possible suggestion that the rights and duties referred to therein might be extended to authorities who were administering territories as the result of decisions of a competent organ of the United Nations, which could never be the intention of the Assembly. If, however, that ambiguity passed unnoticed, it would tend to alienate a loyal member of the United Nations and give a real mala fide to the status of a defender by virtue of such rights and duties.

47. Sir Frank SOSKICE (United Kingdom) said that since the submission of the Yugoslav revised draft, Egypt had submitted another draft resolution (A.C.1/613). If he understood correctly, the representative of Yugoslavia had accepted part of the Egyptian draft resolution and had invited the representative of Egypt to withdraw his resolution. However, at present the Committee only had before it the Yugoslav revised draft resolution without the incorporation of the Egyptian amendments. He therefore wondered if the Egyptian representative would withdraw his draft resolution if certain parts of it were incorporated in the Yugoslav draft resolution. That would facilitate the work of the Committee.

48. RA'AIFAT Bey (Egypt) said that his delegation was pleased to note that the representative of Yugoslavia had agreed to accept the Egyptian amendment to the preamble of his draft resolution. The only difference which remained outstanding between the Egyptian and Yugoslav draft resolutions seemed to be with regard to the wording of the last paragraph of the operative part.

49. The Egyptian representative was opposed to the drafting of that paragraph in the Yugoslav draft resolution because it was not specific enough and was too wide in scope. In the Egyptian draft resolution, reference had been made to Article 51 of the Charter and to enforcement measures ordered by the United Nations. Raafat Bey added, however, that his delegation would not press for the adoption of the suggestions it had submitted.

50. Mr. ZARUBIN (Union of Soviet Socialist Republics) said that he would confine his remarks for the moment to the Yugoslav revised draft resolution and would speak on the USSR draft resolution later. The revised text of the Yugoslav draft had obviously been prepared rather hastily. Nearly all the representatives who had spoken on it had put forward amendments to
the text. There seemed to be a keen desire to have the draft resolution rapidly adopted by the Committee, although it would hardly contribute to peace and security. In spite of the many new amendments to the text, the Yugoslav draft resolution still remained obscure and full of contradictions. Commenting on the words "take all steps practicable in the circumstances" in paragraph 1 of the operative part of the draft resolution, Mr. Zarubin said that it was always easy to find impracticable "in the circumstances" measures which should be practicable. He thought that such vague terminology would enable the aggressor State to decide in every case whether steps were practicable or impracticable.

51. The USSR representative drew attention to the fact that the revised draft resolution did not provide for a time limit within which hostilities were to cease as was done in the original text. This would leave the aggressor free to deal with the victim as he deemed fit, and to choose his own moment for the issuance of the required statement. In fact, the revised draft would make the definition of the aggressor State depend upon the way in which the aggressor made the statement to cease hostilities and whether he fulfilled his promise to do so. Such a procedure would reduce the Security Council to inaction and the Council would have to await the goodwill of the aggressor State. Moreover, even after the aggressor State had made the statement regarding the cessation of hostilities, it would still have time to deal the coup de grâce to its victim. For those reasons, Mr. Zarubin concluded, his delegation would vote against the Yugoslav revised draft resolution.

52. Mr. VILFAN (Yugoslavia), at the request of the CHAIRMAN, clarified the position in respect of his draft resolution. The Yugoslav delegation had accepted the amendments contained in the Egyptian draft resolution with regard to the preamble and to the deletion in the last paragraph of the operative part of the reference to rights and obligations deriving from recommendations of the Security Council and the General Assembly, but the formula proposed by the Egyptian delegation for that last paragraph was too narrowly conceived to be acceptable.

53. With regard to the implication referred to by the representative of Ethiopia, Mr. Vilfan assured the Ethiopian representative that no such interpretation was implied by the paragraph under reference.

54. Mr. WINIEWICZ (Poland) pointed out that the Yugoslav representative had confused his reference to the twenty-four-hour limit. His remarks on the subject referred to the Security Council which was in permanent session and there was no need therefore to concede it many hours in advance. The Yugoslav representative had confused the issue with his delegation's attitude on the calling of special emergency sessions of the General Assembly, which was a different matter.

55. The Polish delegation would vote against the revised Yugoslav draft resolution which had been constantly changed and amended, without any improvement to the text.

56. Mr. JARVIE (Union of South Africa) said that since the revised text of the Yugoslav draft resolution had incorporated many new amendments, his delegation had referred it to the South African Government for instructions, and he would have to abstain if a vote were taken immediately.

57. Mr. NAMBIAR (India) said that his delegation had not had enough time to consider the Yugoslav revised draft resolution since the revised draft resolution and the amendments thereto, and would therefore have to abstain, if a vote were taken forthwith.

58. Mr. VITTOZE (Argentina) stated that his delegation would support the revised Yugoslav draft resolution, with the incorporation of the new amendments.

59. Mr. GRAFSTROM (Sweden) moved adjournment of the debate since many new suggestions and amendments had been submitted that needed time for consideration before a vote was taken.

The motion to adjourn the debate was adopted by 50 votes to 2, with 3 abstentions.

The meeting rose at 3.40 p.m.