

International Law Studies – Volume 37

International Law Situations with Solutions and Notes

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of international law which allows a distinction to be drawn between the aggressor and the attacked, and to treat them differently. At the same time, the Delegation of Colombia consider it necessary, in order to assure the full and effective application of this Pact, to set down in writing the following definition of the aggressor:

That State shall be considered as an aggressor which becomes responsible for one or several of the following acts:

(a) That its armed forces, to whatever branch they may belong, illegally cross the land, sea or air frontiers of other States. When the violation of the territory of a State has been effected by irresponsible bands organized within or outside of its territory and which have received direct or indirect help from another State, such violation shall be considered equivalent, for the purposes of the present Article, to that effected by the regular forces of the State responsible for the aggression;

(b) That it has intervened in a unilateral or illegal way in the internal or external affairs of another State;

(c) That it has refused to fulfill a legally given arbitral decision or sentence of international justice.

No consideration of any kind, whether political, military, economic or of any other kind, may serve as an excuse or justification for the aggression here anticipated.

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## VIII

### ADDITIONAL PROTOCOL RELATIVE TO NON-INTERVENTION

(U. S. Treaty Series, No. 923)

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

Desiring to assure the benefits of peace in their mutual relations and in their relations with all the nations of the earth, and to abolish the practice of intervention; and

Taking into account that the Convention on Rights and Duties of States, signed at the Seventh International Conference of American States, December 26, 1933, solemnly

affirmed the fundamental principle that "no State has the right to intervene in the internal or external affairs of another."

Have resolved to reaffirm this principle through the negotiation of the following Additional Protocol, and to that end they have appointed the Plenipotentiaries hereafter mentioned.

[Here follow the names of the Plenipotentiaries.]

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

#### ARTICLE I

The High Contracting Parties declare inadmissible the intervention of any one of them, directly or indirectly, and for whatever reason, in the internal or external affairs of any other of the Parties.

The violation of the provisions of this Article shall give rise to mutual consultation, with the object of exchanging views and seeking methods of peaceful adjustment.

#### ARTICLE II

It is agreed that every question concerning the interpretation of the present Additional Protocol, which it has not been possible to settle through diplomatic channels, shall be submitted to the procedure of conciliation provided for in the agreements in force, or to arbitration, or to judicial settlement.

#### ARTICLE III

The present Additional Protocol shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument and the instruments of ratification shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic, which shall communicate the ratifications to the other signatories. The Additional Protocol shall come into effect between the High Contracting Parties in the order in which they shall have deposited their ratifications.

## ARTICLE IV

The present Additional Protocol shall remain in effect indefinitely, but may be denounced by means of one year's notice, after the expiration of which period the Protocol shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining signatory States. Denunciations shall be addressed to the Government of the Argentine Republic, which shall notify them to the other contracting States.

In witness whereof, the above mentioned Plenipotentiaries sign the present Additional Protocol in English, Spanish, Portuguese, and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, nineteen hundred and thirty-six.

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[PUBLIC RESOLUTION—No. 27—75TH CONGRESS]

[CHAPTER 146—1ST SESSION]

[S. J. Res. 51]

## JOINT RESOLUTION

To amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war," approved August 31, 1935, as amended.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of*