

World" on October 14 to the Toronto Branch of the International Law Association.*

Examination of Principles

On the substance, the Special Committee reached different stages on each of the principles, namely the final stage of formulation on the principle of sovereign equality and the penultimate stage in formulating the principle of non-use of force. But it could not go beyond putting in place the rough elements to be considered in elaborating the principle of peaceful settlement of disputes or achieve agreement on the criteria for developing the principle of non-intervention. In the time at its disposal, it gave the fullest examination to the implications of the Charter prohibition of the use or threat of force. Thus the following points were examined from the point of view of their admissibility or non-admissibility within the scope of the general prohibition: the indirect inter-state uses of force: the notion of war of aggression; economic coercion; border disputes (a special case raised by the Soviet delegate); armed reprisals; disarmament; and (as exceptions to the general prohibition) the inherent right of self-defence, the so-called wars of liberation, United Nations collective measures and actions by regional agencies.

Once a consensus had been found for including any point, there remained many shades of opinion that governed the manner in which the relevant rule could be expressed. For instance, some ten draft formulations of the rule governing the right of self-defence were advanced, corresponding to different views on whether this right should be exercised in broad, strict or more or less strict conformity with the Charter.

Apart from this main study, the Special Committee had among its agenda a study of methods of fact finding, entrusted to it by Resolution 1967 (XVIII). Prompted by a Netherlands proposal, this resolution considers that an important contribution could be made to the peaceful settlement of disputes through developing the procedures for investigating the facts of a dispute or other contentious international situation. An important facet of the study consists in determining whether present arrangements should be systematized or whether there should not be established a permanent fact-finding organ of the United Nations. To this study the United Nations Secretariat contributed (in Document A/5694 of May 1, 1964) a thorough review of the history of fact-finding systems, starting from international inquiry as envisaged in the Hague Conventions for the Pacific Settlement of International Disputes of 1899 and 1907 and ending with the *ad hoc* fact-finding missions of the United Nations. In this connection, the Special Committee has recommended that more time be allowed for the receipt of written comments from governments.

The conclusions and recommendations of the Special Committee have been assembled in a substantial report for consideration by the Sixth Committee during the session of the General Assembly opening in December.

*See Pages 586-596 of this issue.