

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, HIS MAJESTY THE KING OF ROMANIA, THE PRESIDENT OF THE REPUBLIC OF TURKEY, THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF THE SOVIET SOCIALIST REPUBLICS AND HIS MAJESTY THE KING OF YUGOSLAVIA;

In a desire to consolidate the existing peaceful relations between their countries;

Bearing in mind the fact that the Briand-Kellogg pact, of which they are signatories, bans any aggression;

Considering it necessary, in the interest of general security, to define aggression as precisely as possible, in order to prevent its justification under any excuse whatsoever;

Noting that all States have an equal right to independence, security, the defence of their territories, and free development of their institutions;

Wishing, in the interest of general peace, to secure for all peoples the inviolability of the territories of their countries;

Considering it appropriate, in the interest of general peace, to implement among their countries the precise rules for the definition of aggression until the time when these rules become universal;

Decided, with these objectives in mind, to conclude this Convention and duly authorized for this purpose:

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC:
Mr. Jan MASARYK, Minister Extraordinary and Plenipotentiary in London;

HIS MAJESTY THE KING OF ROMANIA:

Mr. Nicolas TITULESCU, Minister of Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF TURKEY:

Mehmet MUNIR BEY, Ambassador Extraordinary and Plenipotentiary in London;

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF THE
SOVIET SOCIALIST REPUBLICS:

Mr. Maksim LITVINOV, People's Commissar for External Affairs;

HIS MAJESTY THE KING OF YUGOSLAVIA:

Dr Đorđe Đurić, Minister Extraordinary and Plenipotentiary in London;

who have reached agreement about the following provisions:

Article 1

Each High Contracting Party undertakes to accept, in its relations with all other parties, from the date of the coming into force of the present Convention, the definition of aggression as it has been explained in the Report of the Committee for Security Questions of 24 May 1933 (Report of Politis) to the Conference for armaments reduction and limitation, which was prepared at the proposal of the Soviet delegation.

Article 2

The aggressor in an international conflict shall, consequently, be considered, taking into account all agreements in force between the parties to the conflict, the State which is the first to have taken one of the following actions:

1. Declaration of war on another State;
2. Invasion of another State, with or without a declaration of war;
3. Attack with land, naval or air forces, with or without a declaration of war, of the territory, vessels or aircraft of another State;
4. Imposition of a naval blockade of the shores or harbours of another State;
5. Providing support to the armed bands formed in its territory which attacked the territory of another State or which, in spite of the demands of the attacked State, refuses to do all in its power to deprive these bands of any support or protection in its territory.

Article 3

No political, military, economic or other reasons may serve as a pretext or justification for aggression referred to in Article 2 (for examples, see the Annex)

Article 4

The present Convention shall be open for accession to all other nations. The accession shall afford them the same rights and obligations as are those of the signatories thereof. Such accession shall be notified to the Government of the Union of the Soviet Socialist Republics, which shall inform all the other signatories accordingly.

Article 5

Each High Contracting Parties shall ratify this Convention in accordance with its laws.

The High Contracting Parties shall deposit their instruments of ratification with the Government of the Union of the Soviet Socialist Republics.

As soon as two High Contracting Parties deposit their instruments of ratification the present Convention shall come into force between these Parties. It shall come into force for all other High Contracting Parties after they deposit their instruments of ratification.

The Government of the Union of the Soviet Socialist Republics shall notify all the signatories of the present Convention of any deposition of the instruments of ratification.

Article 6

The present Convention has been signed in five copies, of which one copy has been handed to each High Contracting Party.

IN WITNESS WHEREOF the above mentioned plenipotentiaries have signed the present Convention and affixed their seals thereto.

Done in London on 4 July 1933

Signed:

Jan MASARYK

N. TITULESCU

Mehmet MUNIR

Maksim LITVINOV

G. Đurić

ANNEX

TO ARTICLE 3 OF THE CONVENTION ON THE DEFINITION OF AGGRESSION

The High Contracting Parties, signatories of the Convention on the definition of aggression;

In a wish, with the explicit reserve that the absolute validity of the rule set out in Article 3 of the present Convention shall not be restricted in any way whatsoever, to provide some examples for the identification of the aggressor,

Declare that no act of aggression pursuant to Article 2 of this Convention may be justified by any of the following reasons. Among others:

A. Internal situation in a State, for instance:

its political, economic, or social structure; alleged weaknesses of its administration; unrests originating from strikes, revolutions, counter-revolutions or civil war;

B. International conduct of a State, for example:

violation or threat of violation of material or moral rights or interests of a foreign State or its subjects; severance of diplomatic or breaking off of economic relations; economic or financial boycott; disputes related to economic, financial or other obligations towards foreign States; border incidents which do not fall within the cases of aggression from Article 2.

The High Contracting Parties are also agreed that the present Convention can never justify any breaches of international law which might be implied in the conditions enumerated in the above list.

Signed:

Jan MASARYK

N. TITULESCU

Mehmet MUNIR

Maksim LITVINOV

G. ĐURIĆ

Source: Recueil des traites SDN, 1934, V. CXLVIII, No. 3414, pp. 212-219.

Sluzbene novine (Official Gazette), 1934, No. 55-XV.

Martens, v. XXIX, p. 37.

Note : The ban of attack (aggression) was contained in the Draft Covenant of the League of Nations and the Draft Treaty on Mutual Assistance of 1923 drawn up by a commission of the League of Nations as well as in the 1924 Geneva Protocol for Peaceful Settlement of International Disputes, but was not accepted. The Assembly of the League of Nations adopted a declaration in 1927 to the effect that any war of aggression is prohibited and will be considered an offence in breach of international law. The Briand-Kellogg pact of 1928 banned war as a means of national policy. At the Conference on Disarmament in 1932 the Soviet Union submitted a proposal banning aggression, but the other Powers were not interested, so the USSR concluded several pacts of non-aggression with a number of countries in the course of that year. The USSR, together with Czechoslovakia, Romania, Turkey and Yugoslavia established and adopted the text of this Convention. It was open to other States for signing. It is called the London Convention according to the place where it was signed. The activities in this respect were accelerated due to the coming of Hitler to power in Germany. A special role in the conclusion of the present Convention was played by Romanian Minister Titulescu, who had persuaded the partner countries from the Little Entente in its usefulness. The reaction of Italy and Germany to the Convention was extremely negative.