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## er, have the power to-No. 54/40UN9/17 QUESTION OF DEFINING AGGRESSION

Text of statement on November 3, 1954, by Mr.
Charles Stein, Q.C., Canadian Representative
Charles Stein, Q.C., Canadian Representative
in the Sixth Committee at the ninth session of been committed by "automatically" the United Nations General Assembly, New York, on agenda item 51 Question of defining aggression: Report of the Special Committee on the Special Committee on the Question of Defining Aggression

Note: The text of the resolution adopted by the Committee and the results of the statement.

herimske ed ylbren for laroposal for In 1952 before this Committee the Canadian representative stated that the Canadian Government was not opposed to having a definition but that it had "serious misgivings whether ... a definition is possible, and, even if it were possible, whether it in fact would serve a useful purpose in furthering the aims of the Charter".

Undoubtedly the present debate indicates that the area of disagreement over a formula for a definition of aggression has narrowed considerably though, as has already been pointed out, there are still important differences of opinion among those who have proposed formulae. We believe however that who have proposed formulae and the considerably who have proposed formulae. who have proposed to market we believe however that the question of possibility cannot but be considered the question to the usefulness of a definition.

We are still doubtful whether any definition could really be helpful to the competent tion could really be helpful to the competent agencies of the United Nations in deciding for the discharge of their peace the purposes of the whether an act of aggression maintenance functions whether an act of aggression maintenance functions might maintenance functions mideed some definitions might had been committed; indeed some definitions might had been committed; Indeed some definitions might well constitute an obstacle to them. We believe that under the relevant provisions of the Charter that under the result exists as to what constitutes that under the relevant provisions of the Charter no doubt really exists as to what constitutes aggression in the abstract", so to speak, and aggression in the arises only in appreciating aggression that the difficulty arises of each case. We that the difficulty arises of each case we that the facts and definition can effectively removed that any definition can effectively removed. the facts and circumstances of each case. We doubt that any difficulty and we feel, in fact, or remedy this difficulty fail to achieve its that any definition would fail to achieve its that any definition it safeguarded the proper purpose unless it safeguarded the proper purpose. that any definition would rail to achieve its

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the Grand Assembly to assess and decide broad discretion of the Becurity Council and the General Assembly to assess and decide upon the General elements of the case.