

External Affairs
Supplementary Paper

No. 54/4OUN9/17 QUESTION OF DEFINING AGGRESSION

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

Note: The text of the resolution adopted by the Committee and the results of the voting are included at the end of the statement.

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 the question of possibility cannot but be considered in relation to the usefulness of a definition.

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