

the terms of those which had been proposed, would limit the discretion of the competent United Nations organs to determine the existence of aggression in the light of all the circumstances surrounding a particular case. A definition of aggression would call for assessing the blame concomitantly with deciding upon the action required to preserve the peace. This might encourage disagreement within the competent organ of the United Nations, thus delaying action which might well be vital for the maintenance of international peace. A definition might, where immediate action were necessary and actually forthcoming, result in the competent organ of the United Nations treating in a precipitate manner the question of who was the aggressor and might even result in a wrong determination of the question. In some cases it may not even be politic to attempt to determine who is the aggressor while tempers are still hot. While, of course, aggression ought not to go unchastised, determining who is the aggressor ought not to impede the United Nations in maintaining international peace and security. In this age, when a spread of hostilities would threaten the whole world with catastrophe, the all-important first step is that the United Nations be able to take quickly effective action aimed at restoring the peace. I think for the reasons mentioned that a definition of aggression might hold dangers for achieving this end. These are the most important objections in the view of my delegation to the various definitions of aggression which have been proposed.

There are other objections, of course, which apply in varying degrees to the various definitions. Most definitions seem in their turn to use terms which would be required to be defined themselves. Since it is impossible to cover all cases in an enumerative or mixed type of definition, there would always be a tendency for the competent organs of the United Nations to place less significance on acts not enumerated. In similar vein, such a definition would be capable, in some instances, of being used to support a plea of justification where a particular act might not be comprehended within the four corners of the definition, and so could conceivably encourage rather than discourage a state bent on aggression. A general definition, on the other hand, would be likely to do no more than duplicate existing provisions of the Charter.

To sum up, Mr. Chairman, my delegation submits that the record of the discussion of the question of the definition of aggression testifies to wide and seemingly irreconcilable disagreement on whether and how aggression should be defined. We submit also, for reasons already suggested, that a definition might well hamper rather than assist the competent organs of the United Nations in preserving or restoring the peace. In the circumstances it seems to my delegation that further discussion of this question -- for the time being, at any rate -- should be set aside. I am mindful that some delegations do consider that it would adversely affect the prestige of the Committee and the General Assembly to do no more than postpone the consideration of the question for several years. I wonder if we are not more likely to bring discredit on the Organization by continuously spending effort, time and money on a project which, given present circumstances, appears on all the evidence to be unlikely to be successful.

My delegation can see no utility in referring the question back to yet another special committee. We also consider that we should not complicate the good work of the International Law Commission by again referring the question