



## General Assembly

EXEMPLAIRES D'ARCHIVES  
FILE COPY  
A retourner / Return to Distribution C. 111

PROVISIONAL

A/40/PV.108  
9 December 1985

ENGLISH

Fortieth session

GENERAL ASSEMBLY

## PROVISIONAL VERBATIM RECORD OF THE ONE HUNDRED AND EIGHTH MEETING

Held at Headquarters, New York,  
on Monday, 9 December 1985, at 10.30 a.m.

President: Mr. DE PINIÉS (Spain)

- Election to fill a casual vacancy on the International Court of Justice [15] (continued)
  - (c) Elections to fill vacancies in principal organs
    - (i) Memorandum by the Secretary-General
    - (ii) List of candidates
    - (iii) Curriculum vitae
- Co-operation between the United Nations and the Asian-African Legal Consultative Committee [31]
  - (a) Report of the Secretary-General
  - (b) Draft resolution
- Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes: report of the Sixth Committee [129]

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the General Assembly.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

The meeting was called to order at 11.05 a.m.

AGENDA ITEM 15 (continued)

ELECTION TO FILL A CASUAL VACANCY ON THE INTERNATIONAL COURT OF JUSTICE

(c) ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS

- (i) MEMORANDUM BY THE SECRETARY-GENERAL (A/40/870)
- (ii) LIST OF CANDIDATES (A/40/990)
- (iii) CURRICULUM VITAE (A/40/991)

THE PRESIDENT (interpretation from Spanish): The General Assembly will take up sub-item (c) of agenda item 15, entitled "Election to fill a casual vacancy on the International Court of Justice". The election is being held in order to fill the vacancy caused by the resignation of Judge Platon Morozov.

Before proceeding to the election, I should like to bring the following information to the attention of the Assembly. First, in accordance with resolution 264 (III), a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations may participate in the election in the General Assembly with the same rights as States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of Liechtenstein, San Marino and Switzerland.

Secondly, I should like to draw the attention of the Assembly to the documents relating to the election. The Assembly has before it document A/40/870, containing a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council in regard to the election; document A/40/990, giving the candidate nominated by the national groups; and document A/40/991, containing the curriculum vitae of the candidate.

(The President)

Thirdly, in accordance with Article 8 of the Statute of the International Court of Justice, the Security Council and the General Assembly will proceed independently to elect one member of the Court.

Fourthly, the result of the voting in one organ will not be communicated to the other organ until the voting in both organs has been completed.

Fifthly, in accordance with Article 10 (1) of the Statute of the Court, the candidate who obtains an absolute majority of votes in the General Assembly and in the Security Council shall be considered to be elected. For the present election in the General Assembly, 82 votes constitute an absolute majority.

Finally, representatives are requested to use only the ballot papers now being distributed. Their votes should be indicated by placing a cross at the left of the name of the candidate. No name may be added to the ballot paper, otherwise the ballot will be considered invalid.

The General Assembly will now proceed to a secret ballot. I request representatives to remain in the Hall until the result of the voting is announced.

At the invitation of the President, Mr. Agstner (Austria), Mr. Havugiyaremye (Rwanda) and Mr. Tarasyuk (Ukrainian Soviet Socialist Republic) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.

The PRESIDENT (interpretation from Spanish): The result of the voting is as follows:

<u>Number of ballot papers:</u>	143
<u>Number of invalid ballots:</u>	1
<u>Number of valid ballots:</u>	142
<u>Abstentions:</u>	13
<u>Number of members voting:</u>	129
<u>Required absolute majority:</u>	82
<u>Number of votes obtained:</u>	

Mr. Nikolai Konstantinovich Tarasov

(Union of Soviet Socialist Republics) 129

The PRESIDENT (interpretation from Spanish): Mr. Nikolai Konstantinovich Tarasov has accordingly received the required absolute majority in the General Assembly.

I have conveyed the results to the President of the Security Council and I have received from him the following letter:

"I have the honour to inform you that at the 2632nd meeting of the Security Council, held on 9 December 1985 for the purpose of electing a member of the International Court of Justice to fill the vacancy resulting from the resignation of Judge Platon Dimitrievich Morozov on 23 August 1985, an absolute majority of votes was obtained by the following candidate:  
Mr. Nikolai Konstantinovich Tarasov."

(The President)

As a result of the voting which has taken place independently in the General Assembly and in the Security Council, Mr. Nikolai Konstantinovich Tarasov of the Union of Soviet Socialist Republics, having obtained an absolute majority of votes in both organs, has been elected a member of the International Court of Justice for a term of office expiring on 5 February 1988. I take this opportunity to extend to him the congratulations of the Assembly.

I should also like to thank the tellers for their assistance.

We have thus concluded our consideration of sub-item (c) of agenda item 15.

AGENDA ITEM 31

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE

(a) REPORT OF THE SECRETARY-GENERAL (A/40/743)

(b) DRAFT RESOLUTION (A/40/L.37)

The PRESIDENT (interpretation from Spanish): In accordance with General Assembly resolution 35/2 of 13 October 1980, I now call on the Secretary General of the Asian-African Legal Consultative Committee.

Mr. SEN (Secretary General, Asian-African Legal Consultative Committee (AALCC)): Please allow me at the outset to convey to you, Mr. President, on behalf of the Asian-African Legal Consultative Committee, our sincere felicitations on your unanimous election as the President of the General Assembly in this fortieth anniversary year of the United Nations. We have witnessed with admiration your guiding hand steering the debates at this momentous session in a dynamic fashion; you have even spared the time to receive the numerous dignitaries and other visitors in your inimitable, gracious way, which has contributed so much to the success of the session.

Resolution 36/38 of the General Assembly, adopted in 1981, calling for closer co-operation in wider areas between the United Nations and the AALCC has had a

(Mr. Sen, Secretary-General, AALCC)

a significant impact on the continuing relations between the two organizations, which has already borne fruitful results, as is evident from the report of the Secretary-General of the United Nations. We have looked upon the General Assembly resolution as a two-way street in promoting a new pattern of co-operation that would involve the wider interest of the United Nations in our activities on the one hand and our role supportive of United Nations efforts in various fields on the other. I believe we have been able to make significant progress in both directions.

The presence of the Legal Counsel representing the Secretary-General at our last session, held in Katmandu in February this year, together with the representatives of the United Nations organs and agencies directly concerned with the agenda items under discussion at that session, was of considerable importance in enhancing the co-operation between the United Nations and the AALCC. We, for our part, have taken steps to orient our work programme in a manner to complement the ongoing efforts of the United Nations in several important areas, including those in the field of law, the environment, the protection of refugees and economic development.

The decision of our Katmandu session on the preparation of a study on the functional modalities of the United Nations as a part of our contribution to the fortieth anniversary year has indeed brought out the keenness of our member Governments to promote a wider interest in the improved functioning of the United Nations itself, a matter on which attention has been focussed in the successive annual reports of the Secretary-General himself. In this study we have attempted a broad assessment of the activities of the United Nations over the past 39 years in such major areas as the maintenance of international peace and security, economic co-operation, humanitarian and social issues, decolonization and the progressive development of international law, and this has led us to the conclusion that an

(Mr. Sen, Secretary-General, AALCC)

over-all review of the working of the United Nations reveals greater areas of progress and effective action through the work of the Organization than the popular impression would seem to bear out. We have tried to pinpoint the areas where an improvement in the functioning of the Organization could be foreseen within the framework of the existing provisions of the Charter, including such matters as the pattern of negotiation on economic issues, the implementation of the General Assembly resolutions and also the procedural modalities.

It is a matter of gratification that 52, States representing the various regional groups, including four permanent members of the Security Council, have deemed it fit to sponsor the request for a serious consideration of the study by the General Assembly made in a letter addressed to the Secretary-General by Ambassador Ismat T. Kittani, the Permanent Representative of Iraq and a former President of the General Assembly. We sincerely hope that, in the climate created by the fortieth anniversary commemoration for a recommitment to the principles and purposes of the Charter, some objective thinking would emerge in revitalizing the machinery of the United Nations through an improvement of its functional modalities as an important initial step. We are considering the question of establishing an informal open-ended working group for in-depth consultations on the ideas and suggestions put forward in our study (A/40/726) in conjunction with the very useful report found in document A/40/377. It will be our endeavour to present to the General Assembly the results of these consultations at the forty-first session under the item on co-operation between the United Nations and the AALCC and other relevant items.

Without repeating what has already been stated in the report of the Secretary-General, I would like to make a few observations on the background and our thinking in regard to some of the specific areas where effective co-operation has been achieved between the United Nations and the AALCC.

(Mr. Sen, Secretary-General, AALCC)

I would like to begin, if I may, with the law of the sea, since this is an area where not only has the state of co-operation between the United Nations and the AALCC been extensive over a number of years, but it has proved to be most productive as well. We have been actively engaged in this field since the year 1970 under a programme which was meant to assist Asian and African Governments to play a meaningful role in the negotiations at the Third United Nations Conference. But in the course of time our Committee, whether at its regular annual sessions, at intersessional meetings or in working groups, has emerged as an important forum for interregional consultations in working out compromise solutions on several intricate issues, such as the régime of straits, the exclusive economic zone, the rights and interests of land-locked States and the international sea-bed area. It was, therefore, with a great deal of satisfaction that we welcomed the conclusion of the Convention in 1982.



(Mr. Sen, Secretary-General, AALCC)

Since then our work programme in this field has been oriented towards assisting Governments to reap the practical benefits under the new order of the oceans and in suggesting solutions and working out modalities where the text of the Convention does not appear to be completely clear. In this process we have initiated studies in some of the crucial areas, such as delimitation of maritime zones between States, opposite and adjacent, the right of access of land-locked States to and from the sea and the determination of the allowable catch of living resources for land-locked States in the exclusive economic zones, in addition to the preparation of model legislation on fisheries and model agreements for foreign fishing within the exclusive economic zones, including the framework for joint-venture arrangements. We have also tried to make some concrete inputs to the work of the Preparatory Commission, especially in regard to its work in preparing for the enterprise.

The Office of the Special Representative of the Secretary-General for the Law of the Sea at the United Nations Secretariat has kept in close touch with our work and it has contributed a great deal to the study of specific issues through its participation in our Tokyo and Katmandu sessions, held in 1983 and 1985 respectively. It might perhaps be mentioned that an important area in which active collaboration between the Office of the Law of the Sea and the AALCC could be meaningful and productive for the future is that of assisting Governments to adopt for themselves regional plans and programmes and pooling their resources for optimum utilization of the wealth of the oceans, both living and non-living, in conformity with the provisions of the Convention. We have already made a beginning in relation to the resources of the Indian Ocean through the preparation of studies and the convening of an informal meeting last year with the various agencies actively engaged in the technical aspects of exploration and preservation of marine resources. The programmes initiated by those agencies, if duly co-ordinated, could

(Mr. Sen, Secretary-General, AALCC)

help provide in a systematic fashion a wealth of information and material, as well as technical assistance, on which regional co-operation could be built to ensure an orderly development of the necessary infrastructure and the optimum utilization of the resources of the sea. It is necessary to emphasize, however, that in order to achieve fruitful results adequate consultations in an in-depth fashion between the countries of a region or subregion have to be promoted as a first step and appropriate initiatives by the law-of-the-sea Office itself at this stage might perhaps prove to be a step in the right direction. We for our part would be prepared to co-operate fully in any such effort.

Another area in which we have tried to play a supportive role in the efforts of the United Nations is that of international economic co-operation for development. We had been doing work in this field in a modest way since the declaration of the first Development Decade, through the preparation of standard contracts on commodities, and this was gradually extended to other areas with our participation in the work of the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Industrial Development Organization (UNIDO) and the establishment of close working links with the United Nations Commission on International Trade Law (UNCITRAL). Our present work programme includes dissemination of information on the work of those bodies with a view to generating wider support for their recommendations on such matters as commodities, industrialization, shipping, model law on arbitration and several other items.

Since the eleventh special session of the General Assembly, held in 1980, our attention has primarily focused, following the recommendations of two ministerial meetings held under our auspices, on assisting Governments on certain technical aspects of the proposed global negotiations and, more recently, on promoting a climate for the wider flow of trade and investments to the developing countries

(Mr. Sen, Secretary-General, AALCC)

of our region in a practical fashion. To that end we have drawn up models for bilateral investment protection agreements for consideration by interested Governments. We have also implemented a scheme for the settlement of disputes in economic and commercial transactions, which has included the establishment of two regional centres for arbitration, located in Kuala Lumpur and Cairo. We have undertaken a programme for exchange of information in regard to the industrial sector on such matters as the type of projects where foreign investment would be welcome, as also on the laws, regulations and incentives offered to promote investment.

We sponsored a meeting in December last year in New York, and we propose to do the same again during the present week, to bring face to face a group of prospective investors with the representatives of interested Governments in a dialogue to discuss such matters as climate of investment, modalities for collaboration, including joint venture arrangements, investment incentives, and some aspects of investment protection through insurance cover or bilateral treaties. The meeting held last year was attended by two of the Vice-Presidents of the World Bank and the representatives of some of the United Nations agencies engaged in the field. It is our expectation that the same support will be forthcoming from the Bank and the United Nations agencies for our meeting this year also. Considering the grave implication of the debt crisis, especially for the developing countries, we are now in the process of preparing detailed studies in this regard to find ways and means to arrive at a reasonable solution of the problems involved.

The report of the Secretary-General has already drawn attention to the measures that we have taken to further the work of the Sixth Committee and to promote the wider use of the International Court of Justice. I should like to say a word or two on our initiative designed to focus attention on the facilities

(Mr. Sen, Secretary-General AALCC)

offered by the Court for settling legal disputes of which States parties could avail themselves in preference to resorting to arbitration tribunals.

Although the International Court of Justice was designated in the Charter a principal organ of the United Nations, the experience of the past 40 years has shown that States have generally been reluctant to accept its compulsory jurisdiction without extensive reservations. Furthermore, the fact that in some instances the Court's jurisdiction was invoked for purposes other than settlement of legal disputes added to the climate of reluctance to have recourse to compulsory procedures. It was in this context that the legal advisers of our Member States, at a meeting held in New York in November 1983, came to the conclusion that the future of the Court lay in resolving disputes referred to it under a compromise and that the new rules of the Court which contemplate simpler procedures and the constitution of chambers would enhance the utility of the Court. This is also in conformity with the freedom of choice of the means for the peaceful settlement of international disputes. In our paper (A/40/682) we have tried to bring out the advantages that could be obtained by resort to the Court in terms of costs, expertise and finality of the judgment as compared to the other modalities that could be used of for settlement of legal disputes between States. It has, however, been our experience that many States have not yet been made fully aware of the procedures and improvements made by the new rules and that it might prove useful if some kind of a colloquium could be arranged at a suitable time and opportunity for the purpose of disseminating information, as well as to promote an exchange of views.

Finally, I should like to mention that the Asian-African Legal Consultative Committee will be holding its next session in Arusha, Tanzania, from 3 to 10 February 1986. The session will have special importance not only as being the 25th session of the Committee but as being the first one to be held in East

(Mr. Sen, Secretary-General AALCC)

Africa. At that session we intend to initiate some special programmes in relation to Africa in such fields as the environment, economic development and training of personnel, which would be supportive of the United Nations efforts in those fields. We look forward to another era of continued and closer co-operation with the United Nations.

The PRESIDENT (interpretation from Spanish): I call on the representative of Nepal, who will introduce the draft resolution.

Mr. RANA (Nepal): As current Chairman of the Asian-African Legal Consultative Committee (AALCC), my delegation has the honour to convey the Committee's appreciation to the Secretary-General for his report on co-operation between the United Nations and the Asian-African Legal Consultative Committee (A/40/743). Similarly, we are grateful to Mr. Sen, the Secretary-General of the AALCC, for his introductory statement, which further elaborated upon the nature and purpose of co-operative relations between this world Organization and what is today one of the most representative regional bodies dealing with international law.

The Asian-African Legal Consultative Committee, which consists of 40 member States of Asia and Africa as well as several observers representing countries from other continents, was accorded permanent observer status by the General Assembly in 1980. During its five-year association with the United Nations, the AALCC has been performing a valuable role of support for the United Nations, through seminars and studies on a number of crucial areas of concern to the United Nations.

At this juncture I do not wish to go into the details of the work programme of the Committee, which includes its commitment and contributions to the progressive development and codification of international law. That sector, as all of us realize very well, is technical yet vital and is linked inextricably to the ongoing endeavours of the United Nations truly to ensure an international order based on the lofty purposes and principles of the Charter.

I believe, however, that a basic understanding of the work of the AALCC can be obtained from the programme of work adopted by the Committee at its twenty-fourth session, held at Katmandu in February this year. To recall briefly, the Committee, besides deliberating on issues of regional significance, decided to prepare a study on strengthening the role of the United Nations through rationalization of functional modalities with reference to the General Assembly. That endeavour

(Mr. Rana, Nepal)

undertaken as an expression of our abiding faith in the United Nations system, is certainly timely in the context of the commemoration of the fortieth anniversary of the United Nations. It provides an analytical overview of the functioning of the United Nations, and the General Assembly in particular, over the past 40 years. The study has been issued as document A/40/726 for the consideration of the General Assembly.

Similarly, the Asian-African Legal Consultative Committee has also carried out a study on measures designed to promote more extensive use of the International Court of Justice and ways and means to enhance the effectiveness of the Sixth Committee of the General Assembly. Likewise, the Committee has served as an important forum for inter-regional consultation on the law of the sea, in working out compromise solutions for several intricate issues such as the régime of straits, the exclusive economic zone, the rights and interests of land-locked States, and international sea-bed areas. The Committee has also played a role in support of the efforts of the United Nations regarding international economic co-operation for development, through preparation of standard contracts on commodities.

Another important achievement of the work of the Committee in the past year relates to the study on zones of peace in international law, in the context of my country's proposal that Nepal be declared a zone of peace. The first part of the study, presented at the Katmandu session, is to be further elaborated for consideration by the Committee's twenty-fifth session, early next year. Although the issue is not directly related to agenda items of the fortieth session of the General Assembly, it has clear relevance to the broad question of international peace and security, which is of compelling concern to the world body. In any

(Mr. Rana, Nepal)

case, an authoritative study on the concept of a single nation as a zone of peace, developed within the framework of international law - such a study as the Committee is undertaking at present - should not only be of academic interest, but should also constitute a modest new addition to existing concepts of ways and means of lessening tension and improving the climate of international peace and security.

Thus, Nepal attaches great importance to the work of the AALCC, which will be observing its silver anniversary next year. At this time I deem it fit to pay a tribute to the Committee's capable and dedicated Secretary-General, Mr. Sen, who, much to our regret, plans to retire next year after 15 years of distinguished service as Secretary-General. I know I am not guilty of exaggeration in saying that Mr. Sen has been greatly responsible not only for steering the work of the Committee through its difficult formative years but indeed for the high status that the Committee enjoys today in international law circles. Moreover, that is not limited only to Asia and Africa.

We are thus fully confident that the ever-deepening relations of co-operation between the United Nations and the AALCC - which the draft resolution before us in document A/40/L.37 seeks to promote - will yield positive results for all. I therefore have the great pleasure of presenting to the General Assembly that draft resolution on co-operation between the United Nations and the Asian-African Legal Consultative Committee, on behalf of Australia, Bangladesh, China, Cyprus, Egypt, India, Indonesia, the Islamic Republic of Iran, Iraq, Japan, Jordan, the Libyan Arab Jamahiriya, Malaysia, New Zealand, Oman, Pakistan, the Philippines, Qatar, Sierra Leone, Sri Lanka, Sudan, Thailand and my own country, Nepal. In view of the many excellent, and non-controversial, elements contained in the draft resolution, I request that it be adopted by the General Assembly by consensus.



Mr. LEE (Canada): I wish at the outset to congratulate Mr. Sen, the Secretary-General of the Asian-African Legal Consultative Committee (AALCC), on his statement. We have noted with interest the idea he put forward for informal open-ended study of the paper contained in document A/40/726. My delegation has taken note with interest also of the statement made by the representative of Nepal in introducing draft resolution A/40/L.37. My delegation does indeed look forward to its adoption by consensus.

I have the honour to address the Assembly today under agenda item 31, "Co-operation between the United Nations and the Asian-African Legal Consultative Committee", on behalf of the delegations of Australia, Austria, Denmark, Finland, Italy, Japan, the Netherlands, Norway, Spain, Sweden and Canada. My statement will relate also to agenda item 10, "Report of the Secretary-General on the work of the Organization".

(Mr. Lee, Canada)

We have been greatly struck by document A/40/726, circulated to the General Assembly, entitled "Strengthening the Role of the United Nations through Rationalization of Functional Modalities with special reference to the General Assembly". This is an example of the best type of co-operation between the United Nations and another body. Indeed, we believe that the report, both in its intent and its substance, makes a significant and valuable contribution to our continuing efforts to improve the structure and functioning of the United Nations in order to enable the Organization to deal more effectively with the substantive issues which are before it. In reviewing the report, we were gratified to realize that in fact it parallels the direction of a number of other reform suggestions which have come forward in the United Nations community, partly in the context of the fortieth session of the General Assembly, and in which our delegations as well as a number of other countries have a particular interest.

The need to rationalize the process and procedures of the United Nations, including the General Assembly, has of course been emphasized on many occasions over the past 40 years, and from time to time measures have been adopted to promote this objective. Reports on the implementation of these measures have shown that quite a number have in fact been successfully carried through to good effect, while many other measures remain inoperative in whole or in part. Discussions continue in several forums at the present time on additional steps which might be taken, and there have indeed been specific recent initiatives. In addition to the AALCC paper, there is the very interesting and useful report produced last spring by several former Presidents of the General Assembly, to be found in document A/40/377. We note that the Charter Committee has the item on its agenda. Also we note the positive remarks on this subject made at the outset of the session by you, Mr. President, along with useful suggestions that the matter be discussed in the General Committee. Earlier, of course, there were the proposals made by the five

(Mr. Lee, Canada)

Nordic countries and circulated to the United Nations in document A/38/271 of June 1983.

In his annual report on the work of the Organization for 1984, the Secretary-General of the United Nations drew attention to the relationship between procedure and substance in the United Nations. In particular he asked whether existing practices could be improved to enhance the search for solutions and contribute to the credibility of the Organization at a time when it is under attack. The Secretary-General said:

"What needs to be studied in the light of experience is whether present practices in the United Nations are in all instances best suited to promote concrete and just solutions and strengthen confidence in an Organization the essence of which is its universality ... For the good of all, as well as of the United Nations itself, we should assess very carefully the most effective and correct method of using the Organization ... The non-implementation of resolutions, as well as their proliferation, has tended to downgrade the seriousness with which Governments and the public take the decisions of the United Nations. Very often the only outcome of such a process is to ask the Secretary-General to make yet another report to the next session, thus perpetuating a stalemate which, to be resolved, requires governmental and intergovernmental action. This process, and the almost automatic repetition of some agenda items and debates, is expensive and time-consuming both in terms of meetings and documentation, as well as often being ineffective in terms of practical results. I believe that such tendencies have been debilitating to the efforts of the Organization in the cause of peace and economic co-operation. I hope that Member States, even during the forthcoming session of the General Assembly, will give serious thought to the best way of doing business." (A/39/1, p. 2)

(Mr. Lee, Canada)

In the light of the Secretary-General's comments, and in the context of the fortieth anniversary of the United Nations, the delegations for whom I have the honour to speak began a process of reflection and consultation upon practical steps which might be taken to improve the way the United Nations operates, with a view to making it more effective as an instrument to carry out the purposes and principles of the Charter. The intention was to determine whether general agreement could be reached on operating measures which, once implemented, would make it easier to translate into concrete action that degree of political will which at a given point of time may exist on any major issue of the day.

Over many months from the beginning of this year, 1985, our delegations consulted informally, both in the context of the fortieth anniversary and, more broadly, with a large majority of the Members of the United Nations, as well as with the Secretariat, on a list of possible steps of this kind. We were, and remain, open to the views of all delegations, and indeed modified our approach, in general and in specific terms, to take account of views coming from the whole spectrum of opinions represented in the General Assembly.

In reporting to this Assembly today on our deliberations, we should underline our recognition that, just as there has over the years been no monopoly on procedural wisdom, so there are by now few new possibilities among our suggestions and conclusions. Some of the proposals have already been agreed to but not fully carried out; others have been considered but not yet tried. Yet others may appear here for the first time in this precise form. Implementation of each may represent for all our delegations the acceptance of a restraint on our unfettered freedom to manoeuvre. Our group of countries is prepared to accept this restraint in the common interest and would hope that other delegations might in their own larger interest also be prepared to do so.

Turning, then, to specific measures which we believe could be taken quickly in order to improve the functioning of the United Nations with particular reference to

(Mr. Lee, Canada)

the General Assembly, we would first recall resolution 2837 (XXVI) of 1971, decision 34/401 of 1979 and resolution 37/67 of 1982, all of which reflect the need to strengthen the capacity of the United Nations to fulfil the effective and decisive role envisaged by the Charter.

We would urge that all bodies and organs within the United Nations system take concrete steps to improve their functioning and streamline their operations so as to facilitate more detailed and effective consideration of the substantive issues which come before them in the course of their work.

We would call upon the President of the General Assembly and Chairmen of all the Main Committees and subsidiary organs to take concrete action to improve the functioning of the United Nations, inter alia, through the implementation of measures outlined particularly in decision 34/401 on the Rationalization of the Procedures and Organization of the General Assembly, and, more specifically, in view of the heavy schedule the United Nations now faces, to ensure the punctual commencement of scheduled meetings.

We would reaffirm the role of the General Committee in advancing the work of the General Assembly in accordance with the rules of procedure and the annexes thereto. In this regard we call upon the General Committee to group items in order to facilitate their consideration in the General Assembly, as outlined in annexes V and VII to the rules of procedure.

We would reaffirm that substantive items before the General Assembly should, as a general practice be discussed in the Main Committees rather than in plenary, and we would invite the General Committee to take this general practice fully into account when recommending measures regarding the organization of the future work of the Assembly. We would request that the General Committee take direct responsibility for the co-ordination and implementation of measures put forward to improve the functioning of the General Assembly, both now and in future years.

(Mr. Lee, Canada)

We would propose that there be an appropriate amendment to the rules of procedure limiting the length of speeches on agenda items other than in the general debate to 20 minutes in plenary meetings and 15 minutes in the Main Committees. In addition, statements in exercise of the right of reply should be limited to two interventions of five minutes each per agenda item at a given meeting.

We would also request Member States to co-operate with a view to reducing repetitive resolutions and the reports they engender on routine matters of relatively low priority in the General Assembly, both in plenary meetings and in the Main Committees.

We would urge the implementation of consecutive schedules of work for the Fourth Committee and the Special Political Committee, in accordance with the suggestions contained in the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization presented to the General Assembly at its thirty-eighth session.

We would call upon the Main Committees actively to examine their working methods with a view to levelling work-loads among these committees and, following on the initiative of the Second Committee, establishing a biennial programme of work for the appropriate agenda items and, where appropriate, for subsidiary organs.

We would encourage the de facto selection of officers for the General Assembly, its Main Committees and subsidiary organs in advance of all meetings in order to facilitate the formulation of work programmes and increase time for consideration of substantive issues.

We would encourage the establishment of temporary task forces or ad hoc groups, rather than the creation or extension of permanent bodies, for dealing with short-term substantive issues in plenary meetings, the Main Committees and subsidiary organs.

Finally, we would request the Secretary-General to give an account, in his

(Mr. Lee, Canada)

report on the work of the Organization, of the progress made in regard to these and other improvements which we believe could be of significant benefit in enabling the Organization more effectively to address the pressing substantive issues before it.

All these proposals, including those put forward by our group of countries, are in one way or another aimed at finding and implementing means to make the United Nations more effective in the search for peace and development, for security and equality, for freedom and the rule of law. They all reflect that it is timely to give impetus to specific steps which will help to improve the functioning of the Organization. It is to that end that our delegations intend to pursue efforts to improve the functioning of the United Nations, in co-operation with all other delegations, and in this regard we would ask that the General Committee take up these matters at an early date.

The PRESIDENT (interpretation from Spanish): May I take it that the General Assembly adopts draft resolution A/40/L.37?

The draft resolution was adopted (resolution 40/60).

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who wish to explain their position on the resolution just adopted. Such statements should not exceed 10 minutes and should be made by representatives from their seats.

Mr. RISNER (United States of America): We were particularly pleased to join in the consensus on this resolution. Our pleasure derives in general from the constructive role of the Asian-African Legal Consultative Committee over the years and in particular from the study referred to in paragraph 3 of the resolution.

There is, of course, material in the study with which we do not entirely agree; nevertheless we regard it as one of the most thoughtful documents placed before this fortieth anniversary session. The portions of the study dealing with the functioning of the General Assembly are a model of the constructive approach.

(Mr. Risner, United States)

All who believe in the rule of the General Assembly should be guided by these recommendations. We hope all members of the Assembly will study the recommendations concerning the functioning of the Assembly.

We are prepared to co-operate in the General Committee, the Charter committee and elsewhere in an effort to have these recommendations become the guidelines for the work of the Assembly.

Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation did not object to the adoption without a vote of the draft resolution on co-operation between the United Nations and the Asian-African Legal Consultative Committee, because we take a generally positive view of the work of that Committee, in which our country is an Observer. However, we cannot but voice our disagreement with paragraph 3 of the resolution, expressing appreciation to the Committee for its study. The study contains a number of useful conclusions and recommendations. However, it also contains a number of points that are unacceptable to us, including those that seek to review the United Nations Charter and those which are an attempt to entrust to the General Assembly tasks relating to the maintenance of international peace and security which, in accordance with the Charter, fall within the powers of the Security Council.

We also have doubts about a number of the proposals relating to the work on the rationalization of procedures. The study also contains other proposals with which we cannot fully concur.

The PRESIDENT (interpretation from Spanish): The Assembly has concluded its consideration of agenda item 31.



## AGENDA ITEM 129

MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE SIXTH COMMITTEE (A/40/1003)

Mr. Pholo (Lesotho), Rapporteur of the Sixth Committee, presented the report of that Committee (A/40/1003) and then spoke as follows:

Mr. PHOLO (Lesotho), Rapporteur of the Sixth Committee: I have the great honour and pleasure as Rapporteur of the Sixth Committee to present to the General Assembly the report of the Sixth Committee under item 129 entitled: "Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes".

The Sixth Committee devoted considerable attention to this item during the present session, thus showing the importance attached to the matter by the international community as a whole. Originally there were three draft resolutions before the Committee, but as a result of an intensive consultations between the sponsors of those draft resolutions and with other interested delegations the Chairman, Ambassador Riyadh Al-Qaysi, submitted to the Committee a draft resolution which represented a collective effort, under his guidance, by the sponsors and others to reach common agreement.

(Mr. Pholo, Rapporteur,  
Sixth Committee)

The draft resolution now before members in paragraph 19 of document A/40/1003 was adopted by the Sixth Committee by 118 votes to 1, with 2 abstention. It therefore represents the position of the overwhelming majority of Member States of the United Nations with regard to the phenomenon of international terrorism.

Since the draft resolution before members is somewhat lengthy, I will quote only the first three operative paragraphs, by which the General Assembly

"1. Unequivocally condemns, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security;

"2. Deeply deplores the loss of innocent human lives which results from such acts of terrorism;

"3. Further deplores the pernicious impact of acts of international terrorism on relations of co-operation among States, including co-operation for development".

I therefore now present to the Assembly for consideration and adoption the recommendation of the Sixth Committee on the question of international terrorism, in paragraph 19 of its report (A/40/1003).

The PRESIDENT (interpretation from Spanish): If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the report of the Sixth Committee.

It was so decided.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 19 of its report (A/40/1003). May I take it that the Assembly adopts the draft resolution?

The draft resolution was adopted (resolution 40/61).

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who wish to explain their position on the resolution just adopted. I remind them that such statements should be made from their seats and should be limited to 10 minutes.

Mr. NETANYAHU (Israel): Terrorists continue to murder because for years they have got away with murder. For all practical purposes they have been given a licence to kill by Governments and international forums. I am not speaking of the material support that several States have been giving terrorists - the weapons, the money, the training, the embassies, the passports, the diplomatic immunity and, above all, the indispensable sanctuary - without which terrorism could not have grown to its present fearful, international proportions. I am talking about the moral and political support given to terrorists by the States that stand behind them. Those States have promoted the idea that terrorism, if waged for purportedly legitimate ends, is also legitimate.

But no cause justifies terrorism. Nothing justifies the bashing in of a child's brains in Nahariya, the savage murder of innocent passengers in Malta, or the bombing of shoppers in downtown Paris a few days ago. Innocent civilians are not supposed to be the objects of deliberate attack. Indeed, combatants are obliged to protect them, to take special measures, even at the cost of lives, to guarantee their safety.

Terrorism stands this principle on its head. It is the deliberate and systematic murder, maiming and menacing of civilians. Drawing their grisly inspiration from the PLO, the core of international terrorism, terrorists the world over assault civilians not by accident but by design, not sporadically but systematically. Their choice of targets obliterates the distinction between combatant and non-combatant, between soldier and civilian. Worse, they make targets of the innocent precisely because they are innocent, in order to inspire fear and practise political intimidation.

(Mr. Netanyahu, Israel)

This is the real threat that terrorism poses to our civilization. It brings us back to the savage era when the impulses of the jungle prevailed, when anything and anyone could be a target, when no rules applied.

The causes which terrorists profess are thus utterly irrelevant. Their activities are criminal in themselves. In discussing terrorism, therefore, there must be no attempt to justify it by referring to either grievances or goals. No grievances, no goals, no root causes, can justify it. Terrorism is not only criminal and unjustifiable, it is - if I may use that old-fashioned but still rather useful word - evil, pure and simple.

If we are serious about fighting terrorism, we must also resist the attempts to legitimize it. The classic attempt to legitimize terrorism is by linking it to a struggle for "self-determination". We are told by the terrorists and their apologists that somehow, if one is fighting for that goal, the systematic murder of civilians is not terrorism. That, of course, is nonsense, and it also does a grave injustice to legitimate movements of national liberation, those which fight for genuine freedom and do not engage in terrorism. We have no objection in principle to such struggles; indeed, we ourselves engaged in such a battle for independence. But those who truly fight for national freedom respect all human freedoms. Those who trample into dust the most elementary rights and freedoms, those who murder, torture, bomb and maim defenceless civilians, cannot claim to be freedom fighters. Freedom fighters do not butcher babies; terrorists do. Freedom fighters do not attack school buses with rockets; terrorists do. Freedom fighters do not execute defenceless tourists; terrorists do. It is no accident that whenever terrorists come to power they immediately suppress the freedoms of those that they were supposed to liberate. In the case of terrorists, their methods are inseparable from and indeed indicative of their true goals.

(Mr. Netanyahu, Israel)

I repeat: acts of terrorism are unjustifiable in themselves, regardless of their professed aims. Thus, the reference to self-determination in the draft resolution can be interpreted only as an attempt to blur this important truth. We abstained in the voting in the Sixth Committee to register our opposition to this reference, which at best, in the most kindly interpretation, is irrelevant.

Nevertheless, Israel welcomes, indeed applauds, operative paragraph 1, which "unequivocally condemns as criminal all acts of terrorism whenever and by whomever they are committed".

That is something we have fought for, called for and insisted upon throughout the debate on this issue. It is a constant theme in our letters to the Secretary-General. It is the essence of Israel's policy against terrorism.

We also welcome the operative paragraphs that call on States to prosecute or extradite terrorists and to implement existing international conventions against terrorism. It is our understanding that the resolution confirms the obligation imposed on all States to prosecute or extradite terrorists. These are important advances, but it will be possible to assess their real meaning only by how far the international community is prepared to go to put pressure on offending States to comply. Let us be frank. Some of the States that voted for this resolution in the Sixth Committee are the worst offenders. They do not prosecute terrorists; they defend them. They do not prevent hijackings; they encourage them. They do not extradite terrorists; they give them villas and cash bonuses. Will Libya live up to these resolutions? Will Syria, Iraq, South Yemen or Iran do so? I have no doubt that they will not.

The PRESIDENT (interpretation from Spanish): I call on the representative of Libya on a point of order.

Mr. OMAR (Libyan Arab Jamahiriya) (interpretation from Arabic): The speaker asked for the floor to explain his vote. He did not ask for the floor to attack other States for supposed acts which are indeed being practised by the Zionist entity represented by that very speaker. He shows no shame for the acts of terror, with which the history of that régime is replete.

I appeal to you, Mr. President, to request that speaker merely to explain his vote in his statement and not to attack any other State. We did not make any mention of his régime because we all know that it is indeed a terrorist régime based on terror. I appeal to you again, Mr. President, to request that speaker to keep to an explanation of vote in his statement.

The PRESIDENT (interpretation from Spanish): I request the representative of Israel to avoid, in so far as possible, all of these references and value judgements that one can indulge in as to whether those who have voted in one sense or another did so for some particular reason. We have adopted a very important resolution in the General Assembly and it would be better not to begin opening up a discussion as to whether one party or another is going to comply with it. I hope that everyone will.

I call once again on the representative of Israel.

Mr. NETANYAHU (Israel): The names are not important, the principle is. And the principle is that terrorists could not have been doing what they have been doing without the support of States. Everybody here knows that. Everybody here knows who these States are. If we are going to fight international terrorism and not deal with the States which support these terrorists, then we have done half the job indeed, probably less than that. I have hopes that all States, as what just mentioned here by you, Mr. President, will indeed comply with this resolution. The adoption of the resolution, we believe, even with its shortcomings, gives the responsible members of this body additional backing to wage a renewed campaign against international terrorism.

(Mr. Netanyahu, Israel)

That is why, having registered our reservations, Israel has joined the consensus for the resolution.

Mr. ZHULATI (Albania): As to the resolution included in the report in document A/40/1003, the Albanian delegation wishes to point out that it has its reservations as to its content and on different paragraphs.

The Albanian delegation wishes to reiterate that it has clearly expressed its stand in the statement made in the Sixth Committee concerning this matter, pointing out, among the other things, that the Government of the People's Socialist Republic of Albania strongly condemns all manifestations of terrorism, in the first place State terrorism organized by the two super-Powers, the United States of America and the Soviet Union, and other imperialist Powers which constitute the main force of aggression and war and international terrorism.

Mr. LEE (Canada) (interpretation from French): The General Assembly has, in very clear terms, just condemned unequivocally, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed. My delegation welcomes the fact that the General Assembly has today unanimously expressed its resolve to combat a phenomenon that so cruelly afflicts the international community. Canada, which was itself the target of international terrorist acts this past year, associates itself with all States which today have added their voice to condemn that scourge.

Canada believes that it is essential to increase co-operation among States in order to combat international terrorism. Canada also believes that we should redouble our efforts to encourage all States, which have not yet done so, to ratify the instruments of the international community to combat international terrorism. It is a new point of departure today. Canada will give full assistance to our collective efforts.

Mr. MORAGA (Chile) (interpretation from Spanish): The delegation of Chile has joined in the consensus because we believe that the item dealt with in the resolution is of the greatest importance. Terrorism is an ill which must be the focus of the greatest attention and concern of the international community.

Terrorism is blind and arbitrary, because it does not hesitate in sacrificing fundamental values of society, such as the life and physical integrity of persons. And in so doing it destroys the work of man and also involves innocent people. The United Nations is doing right in taking an interest in this scourge that is today affecting mankind and in condemning it. For that same reason the delegation of Chile has joined in the consensus and expresses its satisfaction at the fact that the item has been considered and adopted by the entire international community.

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who wish to speak in exercise of the right of reply.

May I remind members that, in accordance with General Assembly decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by representatives from their seats.

Mr. KHALEH (Syrian Arab Republic) (interpretation from Arabic): Terrorism is the reason for Israel's presence. Without terrorism by the Israeli Zionist gangs during the British occupation, as a point of principle that entity would not have been born. Moshe Dayan, in his memoirs, considered terrorism and acts of terror as the vital backbone of Israel.

The Syrian Arab Republic condemns all types of terrorism. Suffice it to recall the official statement of the Syrian Arab Republic in which it strongly condemned the hijacking of the Italian ship. The Syrian Arab Republic has effectively shown its co-operation with other States in combating terrorism.



(Mr. Kahaleh, Syrian Arab Republic)

However, it is still very interested in discriminating between terrorism and national resistance - national resistance by people fighting to liberate this land, fighting for self-determination and to oppose foreign occupation. These are legitimate rights which are recognized by the Charter of the United Nations and international law. These are rights which have been fought for and enjoyed by many peoples, with the European peoples at the forefront in their resistance to nazism during the Second World War.

A few days ago, on 27 November 1985, The New York Times published a report on national resistance activities in southern Lebanon. It mentioned that a young girl of no more than 17 years of age had blown herself up in a dynamite-laden car directed against an Israeli and allied forces post in southern Lebanon. She killed herself and a number of workers at that post. This heroic act was preceded by dozens of similar acts by young Lebanese, Syrians and even Egyptians, who sacrificed their own lives resisting the Israeli occupation forces in the security cordon that Israel claims in southern Lebanon. My country strongly supports these acts which clearly show a spirit of courage and self-sacrifice on the part of those struggling to liberate their land.

The Syrian Arab Republic condemns acts of terrorism directed against innocent civilians, such as the hijacking of aircraft or ships and the taking of innocent hostages. For this reason, a distinction must be made between honourable national resistance and terrorism in its true meaning.

Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): My delegation went along with the consensus regarding draft resolution A/C.6/40/L.31 with great pleasure simply because it contains very important elements, such as recognition of and emphasis on the right to self-determination and the right to struggle. However, we believe that the resolution overlooks a very significant aspect of terrorism, namely, State terrorism. We appreciate that certain countries were

(Mr. Rajaie-Khorassani, Islamic  
Republic of Iran)

unable to accommodate this important concept in the draft resolution, probably because they had certain interests in that kind of terrorism, but we believe that, in order to have made the draft resolution comprehensive, the concept of State terrorism should have been incorporated in it. But for that shortcoming, the rest of the draft resolution was quite acceptable to us, and that is why we decided to refrain from requesting a vote on it.

The PRESIDENT (interpretation from Spanish): The Observer of the Palestine Liberation Organization (PLO) has requested to make a statement in reply. I call on him, in accordance with General Assembly resolution 3237 (XXIX), of 22 November 1974.

Mr. TERZI (Palestine Liberation Organization (PLO)): I would say that the resolution just adopted is a historic landmark in the endeavours of the United Nations to put an end to criminal acts against peoples. The resolution very strongly and unequivocally condemns as criminal all such acts by whomever committed. Such acts, according to the resolution, also emanate from causes that underlie international terrorism. To our understanding, colonialism is criminal; racism is criminal; alien occupation is also criminal; and it is in this context that we view our struggle against alien occupation. The Fourth Geneva Convention is applicable to occupied Palestinian territories. So there is a case there of alien occupation, which is a criminal act.

It is the right of the Palestinian people to struggle against occupation and to achieve self-determination, and that struggle is legitimate. On a number of occasions, the General Assembly has reaffirmed the legitimacy of the people's struggle for liberation from colonial and foreign domination and alien subjugation by all available means, including armed force.

In a number of resolutions the General Assembly has also singled out the struggle of the peoples of Africa and that of the Palestinian people.

(Mr. Terzi, PLO)

Consequently, any action, any form of struggle, even if it is armed struggle, against alien occupation, against the occupying Power is legitimate - and Israel, to my mind and in my opinion is the only State considered by the United Nations and the Security Council to be an occupying Power.

The position of the Palestine Liberation Organization (PLO) on terrorism was reaffirmed a few days ago before this Assembly. It has been reaffirmed by our national council since 1974, and on 7 November 1985 the Chairman of our Organization, Mr. Yasser Arafat, made a statement in which he said the following:

"The Palestine Liberation Organization condemns all acts of terrorism, whether perpetrated by States, individuals or groups against innocent defenceless people anywhere, but because such a commitment cannot be unilateral, the international community must persuade Israel to commit itself to put an end to all terrorist activities inside and outside Israel."

According to my understanding, this is exactly along the lines of the resolution just adopted. Until such time as terrorism - which is alien occupation - is eliminated from our country and no longer directed against our people, our armed struggle against Israel will remain a legitimate act.

I shall spare the Assembly Albert Einstein's description of the present rulers in Tel Aviv. He referred to them as terrorists, gangsters, Fascists; this was not only the modus operandi of Judaeo-Nazi groups, but also the policy of the State, as has just been mentioned by the representative of Syria.

Mr. AENA (Iraq) (interpretation from Arabic): My delegation did not wish to exercise its right of reply because it is fully aware of the manoeuvres usually used by the Israeli representative in attacking other delegations. However, we believe that there are criteria and traditions which must be respected in this Assembly. We believe that this forum should not be abused or misused to distort facts.

(Mr. Aena, Iraq)

The Israeli representative's practice clearly shows that. We should like to reply to his reference to the law of the jungle and terrorist policies by saying that Israel should be the last to speak of terrorism. Instead of turning facts upside down, we should like to say that Israel's record is well known in the region and in the world; it is crystal clear.

The arbitrary practices directed against the Arab inhabitants and even against Jews inside the occupied Arab territories, the 1981 raid against the Iraqi nuclear reactor built for peaceful purposes, the invasion of Lebanon, the raid on civilian areas in Tunisia without any justification are all clear indications of who is the perpetrator of terrorism, the law of the jungle, and expansionist policies.

We should just like to remind the Israeli representative that my delegation, which actively participated in the negotiations that led to the adoption of the current resolution without a vote, reaffirms once again my country's policy which rejects and denounces all forms of international terrorism. It has clearly shown its position towards that resolution in the Sixth Committee to the effect that, despite the fact that the draft resolution did not cover some of our needs, guided by the spirit of compromise we accepted it although it was our wish to see in it a clear condemnation of State terrorism.

Mr. NETANYAHU (Israel): Words are supposed to have meanings, and this debate is supposed to have a meaning and focus - the focus is on the problem of terrorism, specifically international terrorism. Terrorism is a means, a way, of conducting violence - violence directed against non-combatants, innocents. That is all it is. It may be terrorism in the service of a hundred different ends, that makes no difference.

(Mr. Netanyahu, Israel)

What this General Assembly has just adopted is a resolution condemning terrorism, without any relation to what professed or real aims the terrorists are claiming to be fighting for. Therefore, all that was said here by the various representatives is an attempt to hit at, blur and dissipate what was achieved in this hall a minute ago.

I could not suppress a chuckle when I heard those solemn condemnations of terrorism by some of the representatives of States and organizations that have perfected terrorism. I would say they were the pioneers of terrorism before they perfected it.

I heard from the representative of Iraq, a country which has just issued a diplomatic passport to Abul Abbas and had previously sheltered and launched Abu Nidal, perhaps the most famous international terrorist - or maybe not famous enough because people do not know how much he is responsible for.

I heard about Syria. Syria was among the first countries to receive and shelter terrorists. In fact it hijacked an El Al aeroplane in 1969, and its record in terrorism since has gone from height to height.

Iran has moved to a new stage, because terrorism is not an incidental instrument of State policy; it has become the principal export throughout the Middle East: bombing embassies, killing diplomats, and placing car bombs - that they do with Syria in a joint partnership and sometimes alone.

There are a few others that we shall not dignify with a response.

If we are going to be serious about this problem, let us focus on the practice of killing civilians, wantonly, deliberately and systematically. That is what we should be concerned with. That is what we have just condemned. That is the standard to which we should rigorously hold all speakers, including those who spoke here just now, and apply the provisions in the resolution against those who fail to comply with them.

The PRESIDENT (interpretation from Spanish): Before I call on the representative of Syria, I should like to appeal to representatives to let us conclude the debate, end mutual recrimination for the good of all and of the General Assembly, and thank them in advance for their co-operation.

Mr. KAHALEH (Syrian Arab Republic) (interpretation from Arabic): Israel's record of international terrorism is known to all. The Haganah, the Stern Gang, and the Irgun gangs are well known to all. Their leaders - Begin, Shamir and Sharon - all of them later became leaders in Israel. The whole world knows the facts very well.

The representatives present here also know full well that Begin, the former Prime Minister, was responsible for the 1948 Deir Yassin massacre which made victims of hundreds of children, women and innocent old people; a massacre in which pregnant women were killed - all the inhabitants of that little village, down to the last little child, were killed.

Shamir, the current Foreign Minister, leader of the Stern Gang, was responsible for the death of Count Bernadotte, the well-known United Nations Mediator. He was also responsible for many massacres perpetrated by his gang against innocent Palestinian civilians.

Even after the establishment of Israel the authorities in that country perpetrated many acts of terrorism, most important among them the 1955 Qibya massacre and the 1956 Kafr Kassem massacre for which Dayan, the then Minister for Defence, was responsible. Last, but not least, the massacres of Sabra and Shatila which made hundreds of victims of old people, women and children for which Sharon, the current Minister for Trade and Industry, was responsible.

Those must be added to the other acts of terrorism perpetrated by Zionist gangs and which have been taking place from the creation of Israel to date.

(Mr. Kahaleh, Syrian Arab Republic)

We have not yet forgotten the terrorist operation which killed the Mayor of Bethlehem and the Mayor of Halhul on the occupied West Bank. We are also all fully aware of the activities of the terrorist Kahane, member of the Israeli Knesset; Kahane who calls for the killing of all Palestinians and their expulsion from the occupied territories so that they in their turn may become refugees.

If we wanted to make a complete list of Israel's terrorist record we would need volumes. Suffice it to mention document A/C.6/40/5 adopted under the present agenda item in which there are examples of Israel's acts of terror. For more examples we can refer to documents by Western writers.

Mr. ALI (Democratic Yemen) (interpretation from Arabic): My delegation joined in the consensus on this draft resolution even though it does not cover all our requirements. We accepted that draft resolution because it contains positive elements, such as the right to self-determination and the right of national liberation movements to fight for their freedom and the liberation of their homeland. The draft resolution should have included a clear text condemning State terrorism as being the most dangerous form of international terrorism. Democratic Yemen has consistently condemned all forms of terrorism, including State terrorism.

We would have preferred not to invoke our right of reply. However, we have just heard what has been uttered by the representative of Israel about my country. We do not find such words so very strange; after all, Israel is a terrorist State, a State built on terrorism, built on the uprooting of a people from its homeland. Israel in its day-to-day practices proves that it is indeed still a state of terrorist gangs and that, from the time of its creation up to the present time, its history continues to be stained by the blood of thousands of innocent people.

The PRESIDENT (interpretation from Spanish): I now call on the representative of Israel to exercise his right of reply for the second time.

Mr. NETANYAHU (Israel): I am indebted to the representative of the Syrian Arab Republic for raising the one case that the attackers of Israel always raise - that is the case of Deir Yassin - to prove that Israel wantonly attacked defenceless women and children. That is not the version given by the survivors of Deir Yassin. It took a while for this story, this myth, to take on the proportions and the colour which it has assumed over the years. Listen to what Yunis Ahmed Assad, one of the residents of Deir Yassin has to say in the Jordanian daily Al-Ordun on 9 April 1953, still close to the incident. He said this: "The Jews never intended to hurt the population of the village, but were forced to do so after they met hostile fire from the population, which killed the Irgun commander." He soberly recorded that "the Arab exodus from other villages was not



(Mr. Netanyahu, Israel)

caused by the actual battles either, but by the exaggerated descriptions spread by Arab leaders, to incite them to fight the Jews."

Somebody here said - I think it was the representative of Syria - that all the residents of the village were killed. In fact, most of them were not. There were plenty of eyewitness reports which, for lack of time - as the representative of Israel, I am entitled to reply only twice - I cannot give, but I will be happy to supply them. The important thing is that 40 out of 120 of the soldiers who went into the village were either killed or wounded - not quite this "defenceless massacre" that is described. Now I intend to make available the records of that incident, unveiled for the first time in 1969 by my Government, and the documentation, in a future debate or at some other appropriate opportunity for the members of this delegation.

I would like just to refer to the other example that is given, and that is, of course, Sabra and Shatila - three and one half decades apart. About Sabra and Shatila, the Assembly will remember that people were saying that Israel lit the skies with flares while Israeli bulldozers helped the Phalange go in, and so on. This is why the Israeli-established Kahn Commission was set up to investigate this, because it is very dangerous if this happened; it is something that we could not stomach or countenance. And what did the Commission find? It found that there was nothing of the kind. On the contrary, it found that the obligation, the responsibility, of Israel's leadership was that they had been able to conceive, and had not conceived in time, that such barbarism would be inflicted by Arabs upon Arabs.

So much for these two "classic cases" cited here.

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 129.

The meeting rose at 1.15 p.m.