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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:

- (a) REPORT OF THE SECRETARY-GENERAL;
- (b) CONVENING, UNDER THE AUSPICES OF THE UNITED NATIONS, OF AN INTERNATIONAL CONFERENCE TO DEFINE TERRORISM AND TO DIFFERENTIATE IT FROM THE STRUGGLE OF PEOPLES FOR NATIONAL LIBERATION

Report of the Secretary-General

Addendum

CONTENTS

	<u>Page</u>
<b>REPLIES RECEIVED FROM GOVERNMENTS</b>	
Union of Soviet Socialist Republics .....	2

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[2 October 1991]

1. The Soviet Union unconditionally and unreservedly condemns international terrorism and advocates the strengthening of international cooperation to eliminate it.
2. General Assembly resolutions 40/61 of 9 December 1985, 42/159 of 7 December 1987 and 44/29 of 4 December 1989 were important steps towards closer cooperation by States in this area. These important instruments helped create a climate of more determined and energetic action against terrorism throughout the world, gave strong political momentum to the preparation of new international legal agreements on various aspects of the problem of combating terrorist activities and gave a marked stimulus to the United Nations specialized agencies in this direction.
3. However, despite certain impetus given to international cooperation, including cooperation within the United Nations system, the problem of terrorism remains as acute as ever for certain countries and regions. Moreover, as a result of the intensive processes of internationalization of contemporary life, terrorism now harms the interests of international society as a whole and takes its place with other global problems on the eve of the third millennium.
4. In this light, the question of ways and means of enhancing the role of the Organization in combating this evil raised in Assembly resolution 44/29 is particularly timely.
5. It would seem that the United Nations could significantly increase the effectiveness of its activities in combating terrorism by establishing appropriate priorities and matching them with its own resources.
6. These priorities should include:
  - Sustaining the climate of resolute condemnation of terrorism throughout the world;
  - Strengthening the agreement of Member States regarding the need for increased cooperation in combating this phenomenon;
  - Elaborating new rules and international legal instruments regarding the problem of terrorism;
  - Coordinating the activities of the United Nations specialized agencies;
  - Cooperating with the appropriate regional organizations and structures;
  - Assisting States to resolve crisis situations engendered by acts of terrorism.

/...

7. It is obvious that the accomplishment of these tasks depends on the increased effectiveness of the General Assembly and the Security Council, and the enhancement of the role of the Secretary-General with regard to these questions.

8. Thus, the General Assembly, building on the resolutions already adopted, in particular resolution 44/29, might prepare and adopt a declaration unconditionally condemning terrorism and other acts of politically-motivated violence endangering innocent people.

9. The Assembly might also consider the question of the desirability of preparing a new international legal instrument for the prevention, suppression and elimination of the consequences of terrorist acts involving nuclear weapons or nuclear materials. On the recommendation of the Assembly, the Security Council might, with the help of the expertise of the International Atomic Energy Agency (IAEA), establish a working group for the comprehensive study of the legal and technical aspects of this question.

10. The proposal for the possible preparation of an international instrument laying down measures for the physical protection of chemical and biological material, including protection from terrorist acts, deserves further study. The work of establishing standards of this kind under United Nations auspices would help to create the international legal bases for the organization of counter-measures against "mass destruction" terrorism.

11. It would be useful for the Assembly to envisage the possibility of an overall study of the problems of terrorism and how they relate to other transboundary crimes, including the illegal flow of drugs and psychotropic substances and the illegal arms trade. The question therefore arises of the coordination of United Nations activities in this area: it is necessary to link United Nations programmes for international control of narcotics and combating crime with United Nations activities in combating terrorism. The General Assembly might wish to consider ways and means to ensure such coordination.

12. It is important for the United Nations to provide all-round support for the efforts of the specialized agencies to construct the international legal foundations for cooperation in the anti-terrorist field, and to prepare the corresponding standards and recommendations. At present this activity is on the whole concentrated in the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO). It would be useful to involve other specialized agencies and intergovernmental organizations, including the Universal Postal Union, the World Tourist Organization and IAEA, more actively in this work. The United Nations Education, Scientific and Cultural Organization (UNESCO) might consider the usefulness of preparing a declaration on the role of the information media in combating terrorism, which would meet the need to provide the public with more information about the law and to ban the use of the mass media for terrorist purposes (pandering to sensationalism, whipping up a climate of fear in the population, justifying terrorist violence, disseminating information on highly dangerous

installations and on the methods and technology of terrorist activity, as well as other information which might endanger people's lives, etc.).

13. One way to improve coordination of the specialized agencies would be for the United Nations, together with ICAO, IMO, IAEA, to monitor periodically the implementation of existing international conventions, including notification of terrorist-related incidents, procedures instituted for their criminal prosecution and court judgements.

14. An important activity of the specialized agencies is to gather and disseminate information on national experience gained in combating concrete manifestations of terrorism. They could hold seminars and courses to train specialists, conduct comparative research and offer Governments technical assistance.

15. In the longer term, the United Nations and its specialized agencies, above all ICAO and IMO, might sponsor the creation of an international infrastructure for routine cooperation in and coordination of efforts to prevent and suppress acts of terrorism.

16. One important aspect is the Organization's cooperation with regional organizations. While currently at an early stage, in the future such cooperation should be able to take on more advanced forms, for example, through the creation, under United Nations auspices, of regional cooperation structures, along the lines of the Meeting of Heads of National Drug Law Enforcement Agencies (HONDLEA), Europe.

17. It would be useful for the United Nations to draft recommendations for drawing upon the good offices of the Secretary-General in situations where international terrorism is involved. In order to give the Secretary-General the support needed for this activity, and in the interest of broadening the Organization's overall capabilities for combating terrorism, inter alia, in the light of the above-mentioned priorities and proposals, the United Nations should create an appropriate unit within the Secretariat, bringing together specialists in the political, legal and technical aspects of coordinating international efforts.

18. In our view, if such ideas could be realized, it would constitute a major contribution of enhancing the Organization's role in suppressing international terrorism and, in so doing, would create a common anti-terrorist front under United Nations auspices.

19. But such goals and, in general, more effective international coordination can hardly be achieved unless States themselves take practical steps to confront the phenomenon.

20. The Soviet Union has made a major contribution to promoting such international cooperation. It is a party to all international agreements in force and has helped to draft new anti-terrorist instruments. Most recently, the USSR was active in the drafting and adopting the 1988 Protocol for the

Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, the 1988 Rome Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection.

21. The USSR advocates establishing effective regional mechanisms to fight terrorism. As part of the all-European process, the Soviet Union has proposed the holding of a meeting of experts of the States participating in the Conference on Security and Cooperation in Europe to study the problem and it is in favour of establishing working contacts with the relevant structures of the European Community.

22. The USSR is also participating in efforts to create a coordinating mechanism in the Asian Pacific Ocean region. For example, at the March 1991 seminar held in Tokyo under the auspices of IMO for the countries of the western part of the Pacific Ocean on the suppression of unlawful acts against passengers and crews on vessels, which a Soviet delegation attended, resolutions were drafted and adopted providing the States in the region with guidelines for the joint suppression of the various manifestations of terrorism, piracy and other crimes against shipping.

23. The Soviet Union has also intensified its bilateral cooperation with a wide range of countries. One of the latest practical steps in that direction was a memorandum of understanding between the Governments of the USSR and the United States on cooperation in the area of the safety of civil aviation, which created a crisis-management mechanism to respond to terrorist and other criminal acts committed on civil airlines linking the two countries. In accordance with the recommendations of ICAO, bilateral agreements on air transport, in particular with the United States, the United Kingdom and Spain, have been amended to include provisions to help combat terrorism.

24. The Soviet Union has taken measures to improve national legislation and its implementation in accordance with the USSR's international obligations in this field. For example, in 1987 and 1988 legislative acts were adopted on criminal responsibility for the taking of hostages and illegal activities involving radioactive substances. In 1990, the Act on Criminal Responsibility for Interfering with Transport and Other Acts Prejudicial to the Normal and Safe Functioning of Transport was adopted, amending Soviet legislation to bring it into line with the USSR's obligations under the relevant international conventions.

25. The Soviet Union will soon complete its ratification of the 1988 Rome Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 1988 Rome Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf. The aim is to synchronize this procedure with the adoption of the Soviet Act on Criminal Responsibility for Unlawful Acts against the Safety of Maritime Navigation and Artificial Structures at Sea, which would thus incorporate into Soviet legislation the obligations stemming from the above-mentioned international instruments.