



Chairman: Mr. Erik SUY (Belgium).

**AGENDA ITEM 92**

**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 (continued) (A/8791 and Add.1 and Add.1/Corr.1, A/C.6/418 and Corr.1, A/C.6/L.850, A/C.6/L.851, A/C.6/L.866 and Corr.1, A/C.6/L.867)**

1. Mr. MILLER (Canada) said that his delegation could not but support the International Law Commission when it stressed in its latest report to the General Assembly that the over-all problem of terrorism throughout the world was one of great complexity but there could be no question as to the need to reduce the commission of terrorist acts even if they could never be completely eliminated (see A/8710, para. 65). The current frequency of those acts, to which everyone was exposed, lent added urgency to the task of formulating legal rules which would restore to innocent persons the degree of personal safety affirmed in the Universal Declaration of Human Rights.

2. His country had strongly supported the inclusion of the question of international terrorism in the agenda of the General Assembly and had been actively involved in the procedural preparations for consideration of the item. The Secretariat deserved the highest praise for its study (A/C.6/418 and Corr.1) which focused on terrorist acts having international aspects or implications. The study traced the past efforts of the world community to deal with terrorism in its various forms. The Secretariat rightly referred to the slowness of progress towards the elimination of those root causes of terrorism which were the most intractable, i.e., those which were politically motivated. It would of course be useful to study the causes of international terrorism, and everything should be done to eliminate them, but there was no need for any delay in taking co-operative action. Moreover, other United Nations bodies were already actively seeking remedies to many of the causes.

3. The Committee's mandate was clearly limited to acts of terrorism having an international element. In the case of politically motivated acts, that element was present when

they were carried out in States which were not parties to a dispute or when they were directed against the innocent citizens of a third State within the area of a conflict.

4. It was essential to take into account the large number of precedents, including the categories of acts which had been successively condemned by the international community at the six International Conferences for the Unification of Penal Law held between 1927 and 1935 and in extradition treaties. As to the obligations imposed on States, the Convention for the Prevention and Punishment of Terrorism, concluded at Geneva in 1937, had reaffirmed the duty of every State not to encourage terrorist activities and to prevent them. That Convention had never entered into force, partly because the Second World War had broken out shortly afterwards, and partly because it had included an instrument for the establishment of an international criminal court, which the world community had not been ready to accept. Nevertheless, it was significant that when the Council of the League of Nations had declared, following the murder of King Alexander I and Mr. Louis Barthou in 1934, that it was the duty of every State neither to encourage nor tolerate on its territory any terrorist activity with a political purpose, the Council had coupled with that duty the obligation of Members of the League of Nations to respect the territorial integrity and political independence of other Members. He enumerated a number of international instruments in which that principle had subsequently been taken up and developed. That historical background demonstrated clearly that the international community had been actively concerned about specific acts of terrorism, regardless of their motives, and that it had tried to establish the legal obligations of States in the matter.

5. His Government was firmly opposed to the use of terrorism and considered that it was for the international community, acting in concert, to deal with acts of international terrorism. At its current session the General Assembly should proceed in the following manner. First, it should strongly condemn all acts of international terrorism, direct or indirect, endangering innocent persons. Second, it should be guided by the efforts of the international community to develop progressively relevant principles of international law. Third, it should seek, through Interpol and by other means, multilateral or bilateral, to strengthen the world-wide network for the collection and dissemination of information relating to terrorists and terrorist groups. Fourth, it should reaffirm and, where necessary, strengthen existing international instruments for the suppression of crimes which shocked the conscience of mankind: piracy, slavery, trafficking in narcotics, hijacking and sabotage of aircraft and acts committed against internationally protected persons. All those instruments were directed against the

crime, regardless of its motive. All States should be encouraged to become parties to them and to support the efforts of the International Civil Aviation Organization (ICAO) to elaborate a convention providing both for the prompt and impartial investigation of acts endangering the safety of civil aviation and for co-operative international action to eliminate the danger. The convention would give force to the principles set forth in the Tokyo, The Hague and Montreal Conventions. Fifth, it should act quickly to develop the new legal instruments needed to deal with the international elements involved in acts of terrorism. Those instruments should concentrate above all on the protection of innocent persons. The General Assembly should co-operate with other bodies and focus its attention on ground which had not yet been covered.

6. Accordingly, his Government advocated the preparation of a new instrument on terrorism, which would have the widest possible scope and would apply to violent attacks having international characteristics or effects and directed against innocent persons wherever they might be and whatever the motives or objectives involved. The convention should employ the principle of universality for establishing jurisdiction and should provide severe penalties for the punishment of the crimes, calling in particular for the extradition or prosecution of the perpetrators by the competent authorities of the country in which they were found. The new instrument should follow the pattern of the Montreal and The Hague Conventions and the International Law Commission's draft articles on the protection of diplomats (see A/8710, chap. III, sect. B). The draft convention submitted by the United States delegation (A/C.6/L.850) was based correctly on existing conventions on air security. It seemed designed to prevent the spread or export of certain terrorist acts to countries and individuals not involved in the related internal or international conflict. It dealt with the commission of the most serious criminal acts outside the State of nationality of the alleged offender. His delegation was pleased to note that the draft was not intended to supersede existing conventions nor to cut across the present development and application of humanitarian law in international and non-international armed conflict. Canadian authorities would study the draft in order to determine whether it could not be made broader in scope and whether it might usefully include stronger references to the existing responsibilities of States as declared by the United Nations. International law on the protection of the civilian population against acts of terrorism in periods of armed conflict was developing rapidly. It was now necessary to guarantee innocent persons similar protection against acts of international terrorism committed outside the framework of such conflicts. There must be neither procrastination, for that would encourage terrorists, nor hasty action, for the views of States and international organizations should be taken into account. As to the procedure to be followed, his delegation was prepared to support any proposal that one or several intersessional committees should be instructed to elaborate effective measures for the prevention of international terrorism in the light of its causes, or that the International Law Commission should be requested to take up the question as a matter of urgency, following the pattern of the instructions

on the protection of diplomats<sup>1</sup> which it had received at the previous session. But the Committee should take precedents into account and should not pretend that the problem was a new one requiring exhaustive examination.

7. Mr. WARIOBA (United Republic of Tanzania) said that his delegation had opposed the inclusion of the question of international terrorism in the agenda of the General Assembly for two reasons. Firstly, the Munich affair was still too recent for it to be possible to consider the matter in a serene and calm manner, as the Committee's debate had shown.

8. Secondly, the title of the agenda item was at the same time both too wide and too narrow. It was too wide because it appeared to include the activities of liberation movements. As currently worded, the item concerned terrorism which endangered or took innocent human lives; that wording might be applied to innocent people in areas where liberation movements were active. The title of the item had therefore been changed, but uncertainties remained because the item was at the same time too narrow. In the first place, it appeared that consideration of the question would be restricted to acts of individuals or groups of individuals. However, States also endangered and destroyed innocent human lives. The indiscriminate use of weapons destroyed human lives and crops, damaged the environment and spread terror. Not only the waging of war itself but the manufacture, possession and stockpiling of arms, especially weapons of mass destruction, were acts of terror which resulted in the loss of countless innocent lives. In addition, the title of the item would limit consideration to acts of persons who were oppressed, miserable, frustrated and desperate. Yet many people who did not belong to those categories collected money and arms, with the consent of the State authorities, and exported them. Such persons and such States clearly were committing acts which endangered or destroyed innocent lives. Also, it was essential to be able to know where the line was to be drawn between the responsibility of the individual and the responsibility of the State. That problem arose when an individual committed an act of terrorism and an organization claimed credit for it. If it was a hopeless exercise to try to direct measures against individuals, it was equally difficult to direct them against organizations, if only because opinions often differed widely as to the question whether an organization constituted a liberation movement or not.

9. A further restriction was the suggestion that only politically motivated acts should be considered. There again, opinions differed as to what constituted a political act. It could be asked, moreover, whether the act must be political in the international sense only or could also be a political act in the national sense. It could also be asked whether an individual who committed an act of terrorism in a purely internal conflict and then fled to another country should be prosecuted or extradited even though the proceedings against him would be non-political. Furthermore, it was not easy to separate the political from the socio-economic aspects which should all be taken into

<sup>1</sup>See General Assembly resolution 2780 (XXVI), sect. III.

consideration. Hence his delegation felt that the discussion should not be limited to terrorist acts having political aims. Last, it was suggested that consideration should be restricted to acts of international terrorism, which implied, according to the Secretariat study (A/C.6/418 and Corr. 1, para. 6) that "the interests of more than one State must be involved, as, for example, when the perpetrator or the victim is a foreigner in the country where the act is done, or the perpetrator has fled to another country". International and national terrorism were normally linked, as could be seen from the practice of hijacking, kidnapping and the sending of letter-bombs, and to limit consideration to international terrorism would be to deal with only a small part of the problem of terrorism.

10. Accordingly, his delegation felt that the subject as framed was both too broad and too narrow. All acts which endangered or destroyed innocent human lives should be dealt with, whether they were committed by individuals or by States, even when the perpetrators were not the victims of oppression, misery, frustration and despair.

11. During the debate an attempt had been made to convince the Committee that a study of the underlying causes of terrorism would take a long time and that the international community could not remain inactive while it waited for that study to be completed. Yet such a study, if undertaken seriously, would not take as long as some maintained. In fact, the major causes of terrorism were already well known. The difficulty lay not in studying the causes but in the reluctance of certain States to admit their existence.

12. An attempt had also been made to persuade the Committee that if certain measures were taken, international terrorism would be contained sufficiently to allow a study of its causes to be undertaken. That was the kind of logic that would make the international community lag behind events. If nothing more was done than simply to attempt to close avenues to certain people, they would find others. That could be seen in the case of attacks against the safety of air transport. The scope of the measures taken to combat that scourge had had to be extended repeatedly. The Tokyo Convention of 1963 covered offences committed from the moment of take-off to that of landing. It had quickly been found that those limits were too narrow and in the Convention of The Hague of 1970 they had been extended to cover acts committed from the moment when the doors were closed following embarkation until the moment when the doors were opened for disembarkation. Hardly a year had gone by before the Montreal Convention of 1971 had further extended the scope of the measures taken to combat acts directed against the safety of civil aviation. In the field of terrorism, the same process was likely to occur. The present wave of parcel-bombs and suicide squads was a case in point. To seek only to eliminate such acts would be the surest way of encouraging terrorists to have recourse to even more terrifying techniques.

13. The United States had submitted a draft convention which did not materially differ from the Montreal and The Hague Conventions. Ignoring the causes of terrorism, it

concentrated on sanctions. In the familiar pattern that had been evolved over the past few years, it sought to cover yet another type of act which did not fall within the scope of the earlier Conventions. His delegation was opposed to that supposedly more effective piecemeal approach because it suspected that the intention of its advocates was not to eliminate international terrorism but to achieve certain political objectives by a roundabout legal means. Thus in ICAO a convention had been proposed which would impose sanctions against States which refused to prosecute or extradite persons guilty of offences against the security of air transport. That proposal made two facts clear: firstly, that the proliferation of conventions would not solve the problem and, secondly, that the target was not the perpetrator of the offence but the attitude of certain States. In the case of terrorism, the aim was not to eliminate acts of violence but to bully certain States into accepting the wishes of others. The second preambular paragraph of the United States draft recalled the reference in an earlier resolution that every State had a duty to refrain from organizing and instigating terrorist acts in the territory of another State, but it said nothing about the causes of terrorism. Instead of calling for concerted action to combat the scourge, it proposed that the afflicted individual should be confined or returned to his country of origin. Such measures, far from eliminating terrorism, might cause it to take even more terrible forms.

14. Another deplorable aspect of the question was the timing of such proposals, which were introduced immediately after an act had been committed, when emotions were still high. The adoption of the League of Nations Convention of 1937 had been spurred by an assassination. By the time it had been signed the emotions had subsided and no State was really interested in it thereafter. The Hague Convention had been concluded in similar circumstances. The request for the inclusion of the item on terrorism had been made immediately after the Munich incidents. That method, consisting as it did of calling for action when everyone was under the pressure of fear, might affect adversely the quality of the results which were being sought.

15. Terrorism was not a new phenomenon. It was not limited to aircraft hijacking, kidnapping or letter-bombs. It also included colonialism, neo-colonialism and imperialism. Economic sabotage was as much an act of terrorism as was the sabotage of air transport. Terrorism could take different forms but it always had the same effect, which was to endanger innocent lives; it always had the same causes: political, economic and social injustice. It was to those ills that attention should be directed.

16. Before action could be taken against international terrorism, it was essential to define the ill which was to be remedied. His delegation's opposition to a blanket condemnation of international terrorism in no way signified that it rejoiced at the existence of terrorism. It was opposed not to the elimination of terrorism but to the distorted and lop-sided way in which the matter had been presented. It did not condone aircraft hijackings, kidnapping and letter-bombs. Yet when the President of FRELIMO had been

killed by a parcel-bomb in Dar es Salaam, the current champions of the condemnation of terrorism had not raised their voices; hence it must be suspected that in the minds of certain people terrorism was only that which was directed against them. The terrorism which they themselves perpetrated was not supposed to be terrorism. In other words, his delegation had the impression that what was being sought was a condemnation not of the real forms of terrorism but simply of certain forms of violence which were but the symptoms of the real terrorism. Currently there was concern for condemning terrorism because some of those who had until now been on the other side of the fence were beginning to experience terrorism themselves. Terror was no longer limited to Africa, Asia and Latin America. The time had come to take serious concerted action to remedy it.

17. He wondered what then should be done at the current session of the General Assembly. His delegation could not subscribe to a blanket condemnation of a phenomenon the interpretation of which revealed fundamental differences. Its attitude towards any draft resolution submitted would be determined by the considerations which he had just set forth. However, it recognized that a study of the question should be undertaken, and it felt that the study should include the definition of terrorism, identify its causes and provide for measures to combat it. His delegation was not opposed in principle to the establishment of an *ad hoc* committee for that purpose but it felt that such a committee could not begin its work until its terms of reference had been defined. Furthermore, the subject was serious enough to warrant obtaining the views of Governments and it might be preferable not to convene such a committee until Governments had made their views known.

18. Mr. SCHERMERS (Netherlands) said that his delegation was deeply concerned both at the events which had warranted the inclusion of the question of terrorism in the agenda of the Assembly and at the fact that some of the delegations which had spoken on the subject had given the impression that they were, knowingly or not, confusing ends and means, causes and measures, law and politics—an approach which did not facilitate the work of the Committee.

19. The community of nations could no longer tolerate acts of terrorism. In one way or another, it would have to counter that evil if the lives of increasing numbers of innocent bystanders were not to be endangered.

20. First of all, it was necessary to define clearly the form of violence covered by the expression "international terrorism". The Committee was not concerned with the use of force among States as such, a matter that was covered by existing international law and was the subject of several other General Assembly items, such as those on disarmament, international security, peace-keeping and the definition of aggression. Nor was it called upon to discuss violence by States against individuals, which was also the subject of a wide range of international legal rules and appeared on the agenda under such items as decolonization, *apartheid* and racial discrimination. The problem before the

Committee was the kind of violence among individuals which was directed against States or other entities having some status under international law—the kind of violence which was committed in the course or as a result of a conflict of a political nature within one State or between two or more States and which involved States or persons that were not a party to that conflict. Whatever action was taken, it was essential to discourage anyone who might try to involve a State in a conflict towards which that State actually took a neutral position.

21. Nothing could justify terrorists in jeopardizing the lives of men, women and children who were in no way to blame for the continuance of certain injustices. It was erroneous to argue that a person who was a national of a State party to a conflict but was taking no part in the hostilities could be considered an adversary, for such a view implied a belief in total war. The Geneva Conventions of 1949 expressly provided that the parties to a conflict should refrain from inflicting acts of violence upon persons taking no active part in the hostilities. If that rule applied in time of war, it applied *a fortiori* in time of peace. If it applied in the region of war, it applied *a fortiori* outside that region.

22. It was clear that certain principles of international law presented themselves: it would be the Committee's task to elaborate them with a view to solving the problem before it. It was to be asked what sort of measures should be taken to that end. He was aware that the agenda item also called for a study of the underlying causes of terrorism and was well aware that one could not fight symptoms without at the same time trying to eliminate their causes. However, if government was to be effective it was sometimes necessary to start with measures designed to eradicate the symptoms and tackle the causes at a later stage. That was particularly the case when the symptoms in question created hazards for members of society entitled to their Government's protection. That principle held good for national government, and there was no reason why it should not hold good at the international level too. The same point was made in paragraph 66 of the Secretariat study (A/C.6/418 and Corr.1).

23. With regard to measures, his delegation thought that any international agreement should satisfy the following conditions. It should, on the one hand, recognize and respect the interest which States had in remaining outside the conflicts in which other States were engaged and, on the other hand, recognize and respect the wish of any neutral State to protect the humanitarian interests jeopardized by acts of international terrorism and, in accordance with that wish, to take measures which would enable it either to prosecute or to extradite an alleged terrorist found in its territory.

24. It has high time that States recognized that the taking of measures, on general humanitarian grounds, to prevent criminals from escaping trial did not mean taking sides in the conflict that might be the source of the crime. The success of a future agreement on banning international terrorism would require the acknowledgement on the part of all States that, like the granting of territorial asylum dealt

with in General Assembly resolution 2312 (XXII), the application of the rule "*punire aut dedere*" was "a peaceful and humanitarian act" and that, as such, it could not "be regarded as unfriendly by any other State". States should therefore be able to distinguish clearly between the political goals pursued in the course of a conflict and the purely humanitarian goals pursued by States not parties to that conflict and seeking to protect innocent individuals. That distinction could not be emphasized too strongly.

25. On the question of the type of legal mechanism required, his delegation was of the opinion that a convention of the same type as those of The Hague and Montreal was likely to be the best means of coping with the existing situation. The possibility of choosing between either extradition or submission to the competent authorities for the purpose of prosecution would prevent a State from being placed in a difficult position if its laws forbade extradition for crimes of a political nature, and leave it the right to grant asylum to the offender after prosecution and punishment.

26. The convention would have to determine precisely the acts it covered, the addressee towards whom such acts must be directed—usually a State—the types of victims who would be protected, the types of offenders who would be covered—his delegation felt that offences by States fell outside the scope of the proposed convention—and the place in which an offence would have to have been committed. The convention should be limited to international terrorism. Its scope should not be too wide in view of the fact that national legislation could take care of most forms of terrorism in which the international element was only secondary. Nor, on the other hand, should it be too narrow, or there would be loop-holes for possible terrorists to exploit. The draft convention submitted by the United States delegation (A/C.6/L.850), while susceptible of improvement, offered a suitable basis for discussion.

27. The effective implementation of the convention would be of crucial importance. It would require the co-operation of the entire community of States, for the refusal of even a single State to accede to it could gravely impair its efficacy.

28. As to the procedure to be followed, his delegation would prefer the convening of a special diplomatic conference at an early date, provided such a conference was well prepared. For that reason, a committee should be instructed to study the drafts put before it, such comments as Governments might wish to make and any other relevant material. The committee in question should prepare the draft convention for submission to the conference after study by Governments. The appropriate date for the conference should be fixed at the current session of the General Assembly, so that a proper time schedule could be drawn up.

29. Mr. FUENTES IBÁÑEZ (Bolivia) said that he thought the Secretary-General's request for the inclusion of the item under discussion in the agenda of the General Assembly most timely. The United Nations must not lose sight of major world problems and their repercussions on

the international community. It had specific purposes, the first of which was to maintain international peace, and it could therefore not remain indifferent to terrorism, which was one of the most atrocious forms that violence could assume inasmuch as it affected innocent people.

30. Although terrorism was not a modern invention, its manifestations were now more varied than ever before owing to the resources of modern technology, the mobility that technology afforded and the chances of impunity it offered.

31. A very clear distinction could be drawn between two categories of terrorists: those who acted independently and with no external links, and those who operated within the framework of international organizations set up for that purpose. The members of the first category were often persons suffering from some form of mental disequilibrium or rebellion psychosis that was either pathological in origin or the result of their environment. Although it was hard to predict what crimes such people might commit, they presented only a limited threat since they did not act in accordance with plans drawn up in advance and executed on an international scale. Terrorists of the second type, however, belonged to powerful organizations which, in order to attain precise objectives, exploited dissatisfaction and stirred up rebellion regardless of any moral considerations or respect for civilized society. Those organizations had resources of every type at their disposal and enjoyed influential protection. Furthermore, their acts constituted a violation of the principle of sovereignty, both because the persons responsible for them might not be nationals of the country in which they were carried out and because of the nature of the alleged abuses which they were designed to eliminate in a given country by the use of external means. The ease with which terrorist agents of that type were able to travel and act also reflected the existence of considerable financial and political resources which enabled them to strike with astonishing effectiveness and escape scot-free.

32. Bolivia had suffered a series of terrorist attacks whose victims had been persons of various callings and shades of opinion. The entire population had lived in terror, for bombs had exploded day after day, usually killing ordinary people with no political connexions or activities, while anyone who was thought to be well-off had been kidnapped and held until a ransom was paid to the so-called armies of liberation that had attained such a regrettable notoriety in Latin America. So-called "people's prisons" had been established in the very centre of towns such as La Paz, Cochabamba and Santa Cruz; these were virtual fortresses, inhabited by terrorist commandos who were seeking to abolish self-determination and oppress a whole people. His delegation did not, however, seek to make accusations which would be difficult to substantiate, and wished merely to recall recent events known to all, which had had great repercussions in an under-developed country like Bolivia. The question was thus to determine how the countries which were the victims of international terrorist action could defend themselves in the absence of appropriate legal rules of international scope. For the time being, those countries had no alternative but to resign themselves to impotence or

to overcome the problem by a heroic effort, as Bolivia had done.

33. With regard to the underlying causes of international terrorism, and especially the hotbed of terrorism constituted by what had been referred to as "misery, frustration, grievance and despair", his delegation recalled that the Bolivian Minister for Foreign Affairs had stated in the General Assembly (2055th plenary meeting) that it was not permissible, humane, acceptable or even tolerable to seek to satisfy the thirst for change and transformation by sacrificing innocent victims who were in no way responsible for the continuance of the unacceptable situation.

34. The question under consideration was difficult and tricky, and his delegation agreed with the other delegations which had said it would be hard to work out a convention acceptable to all. It also agreed with the view that the work should be divided into two parts; namely the search for a consensus on a set of measures aimed at suppressing international terrorism, and a study of the underlying causes of the problem. The second part could be more general and permanent in nature, since the human condition was constantly changing and its evolution should be carefully followed. As to the measures to be taken, the Sixth Committee should not content itself with formulating a set of provisions which were ineffective or likely to remain a dead letter. On the contrary, it should take a realistic and resolute approach to a problem which concerned millions of people. As to the underlying causes of terrorism, the attention of Member States should be drawn to the fact that the younger generation was growing up in a climate of familiarity with violence. Modern means of communication demonstrated the most brutal criminal methods within the home itself.

35. It has frequently been said that the notion of terrorism encompassed all forms of violence, from the legalized crime of bombing civilian populations during a war to the use of napalm and the most highly developed weapons which affected not only human beings but also their environment and resources. However, despite the failure to eliminate war and despite the existence of rules of international law regulating war, the international community should not also resign itself to violence or passively give the latter legal status, since that would be tantamount to transforming the whole world into a battle-field where there were no guarantees or security. The international community could not allow collective terror to be used to impose partial solutions which favoured not peace and the interests of mankind as a whole but opposing factions, as though mankind were not a whole and as though truth and justice were the prerogative of one specific race, colour or nationality.

36. He hoped that the Sixth Committee, through the wisdom and experience of its members, would succeed in formulating at the twenty-seventh session sufficient criteria to enable it to define international terrorism and adopt appropriate measures, not excluding the establishment of a special committee of limited membership which would be instructed to study the causes of international terrorism.

*Mr. Velasco Arboleda (Colombia), Vice-Chairman, took the Chair.*

37. Mr. TOURÉ (Guinea) said that the purpose of examining the question under consideration was, quite rightly, not only to define measures to prevent international terrorism but also to study the underlying causes of that terrorism, for in seeking to solve a problem one must always attack it at the root. If satisfactory results were to be obtained, it must be remembered that it was mankind which formed the law and not the other way around, and that one must start from subjective positions and achieve dynamic objectivity. In fact, the law formulated to overcome terrorism had never made any progress towards objectivity and hence in approaching that problem everybody took a personal point of view and never failed to present himself as a victim, ignoring any responsibility he might have incurred.

38. Those who committed acts of terrorism, whom everyone accused, were desperate, colonized, persecuted and under-privileged people. He wondered why that was so. In the Portuguese colonies, for example, Africans had duties, not rights. Their countries, occupied after having been ravaged by fire, theft and murder, had become huge prisons and concentration camps, from which Africans could escape only by crawling, at the risk of their lives. He asked what other recourse they had against the occupying forces but to harm them in any way possible.

39. Everybody knew that in criminal law the judge was obliged to see that the accused person was given a psychological examination. There was no reason why the same procedure should not be adopted in the case of the crime of terrorism. Without seeking to defend terrorism, it must be acknowledged, when examining its causes, that in many cases those who committed terrorist acts were forced to do so and had recourse to such acts only in desperation. That was not the view of Portugal, however, whose representative had made a statement to the General Assembly condemning the acts of terrorism taking place in the African territories which Portugal occupied. Therefore, the Powers which were Portugal's allies, and whose support enabled Portugal to continue its occupation, could not exclude the national liberation movements from the definition of terrorism, since Portugal accused those movements of terrorism.

40. Certain countries, such as Portugal, were trying to pose as victims when a simple historical review provided ample proof that they were and continued to be guilty of prior terrorism. They had thus created conditions favouring the terrorism of which they complained, placing their friends in an embarrassing situation.

41. His delegation considered that the position taken by the African group during the debate on the inclusion in the agenda of the item under consideration was completely justified. Resolution 2918(XXVII) on the question of the Territories under Portuguese administration, adopted by the General Assembly on 14 November 1972, provided further proof, if such proof were needed, that the terrorism to be

combated in no way excluded the national liberation movements, whose right to undertake any type of action to ensure that their countries attained independence had been recognized by the General Assembly in resolution 1514 (XV), although some States had voted against that resolution and others had abstained.

42. Many States which were now independent and Members of the United Nations and most of those States which had voted against resolution 1514 (XV) had courageously fought invaders. He wondered why resistance to an oppressor should be described as terrorism in the case of the Africans alone and how acts of the same nature could be described differently, being defined sometimes as heroic resistance and sometimes as terrorism.

43. His delegation considered that there was a very clear distinction between those who really wished to put an end to terrorism and those who wished to deal with only one aspect of it, ignoring the underlying motives. Terrorism could only be conquered if the great Powers which were responsible for world peace and security showed goodwill and understanding. His delegation was in favour of an all-out campaign against terrorism, provided it was aimed at terrorism as a whole, i.e. both its causes and its effects.

44. Mr. BADAWI (Egypt), in exercise of the right of reply, said it was regrettable that the statement by the representative of Israel had included so many inaccuracies and falsehoods, which were prejudicial to the objectivity of the debate. His delegation merely wished to recall certain very obvious facts, which could not be called in question. First, the Middle East had been a peaceful area until the Israeli settlers had introduced terrorism, which they had practised indiscriminately against innocent civilians and particularly against women and children. Secondly, it was Israel which, since its creation, had launched three major attacks against its neighbours, without counting a multitude of so-called punitive raids against thousands of innocent victims. Thirdly, Israel had for five years been occupying the territory of three Member States, in flagrant violation of the principles and provisions of the Charter, and had violated human rights and fundamental freedoms, as was shown by the relevant official United Nations documents. Fourthly, Israel had uprooted a whole people from their homeland and had persistently refused to comply with the General Assembly resolutions asserting the rights of those people, especially their right to self-determination.

*The meeting rose at 5.05 p.m.*