



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, A/C.6/L.869)

1. Mr. NUR ELMİ (Somalia) said that the Secretary-General's initiative (A/8791 and Add. 1 and Add. 1/Corr. 1) in bringing before the General Assembly the question of the rising tide of international terrorism had rightly been welcomed by the majority of Member States. All would probably agree that terrorism based on criminal intent, particularly when it endangered innocent human lives, was a grave threat to international law and order and could not be condoned. However, the problem was highly complex, particularly when the question of political motivation was taken into account. The task of defining terrorism in that context was full of pitfalls. His delegation did not believe that the task could be successfully accomplished within the time available at the current session or that the Committee could do more than set up guidelines whose practical application could be studied in detail by a small committee of legal experts, taking into account all aspects of its tragic causes as well as its consequences, since cause and effect were inextricably intertwined. A clear distinction must be maintained between terrorism and the struggle of peoples for their freedom and independence, between terrorism and the determination to end injustices of historic proportions, and between terrorism and the struggles to obtain basic human rights. The underlying causes of political terrorism were usually more shocking, if perhaps less immediately dramatic, than the acts they engendered. His delegation could sympathize with the view that it would not be just to allow the lives of innocent people to be endangered while awaiting the elimination of the causes of misery, frustration and despair which in turn provoked violence and terrorism.

2. The most dangerous terrorism currently rife was not the kind that endangered a few individuals' lives but the kind that was directed against millions of helpless peoples deprived of their national identity and heritage, systematically denied

their most basic human rights, and subjected to the terrorism of war because of the narrow self-interest of a stronger Power. They too were the innocent victims of large-scale terrorism. Despair, hatred and contempt for the oppressors were the inevitable results, and violence would be met with violence, for when despair and hatred set in, peoples would seek revenge in order to vindicate their dignity and freedom.

3. Somalia did not believe that politically motivated acts could be divorced from root causes that included suffering long-standing evils without hope of redress. Reaction against such situations had been recognized as legitimate by the world community. His delegation hoped that when the underlying causes of politically motivated terrorism were seen within the context of the despair and frustration of those driven to acts of violence and the tragedy when innocent lives were endangered, a fresh impetus would be given to the task of eliminating those causes and there would be sincere and sustained effort to apply those measures which the United Nations had devised for their solution but which were seen more in the breach than the observance.

4. Mr. ÅLGÅRD (Norway) said that a broad discussion of the complicated problem of terrorism and its causes was appropriate because of its world-wide character. Accordingly, Norway had supported the proposal to include the item in the agenda. The Norwegian people had always made known their abhorrence of any form of terrorist activity directed against innocent victims and causing wanton suffering. Terrorism was likewise a threat, among other things, to the very vulnerable international communication system of modern times, to air and other forms of transportation, postal services, and diplomatic communications. No one could regard the possibility of anarchy in international relations between peoples and States as desirable.

5. The difficulty of definition should not prevent the Committee from seeking ways and means of dealing with the issue. It had been stated that world public opinion was expecting quick and tangible results from the General Assembly at the current session. His delegation hoped that the discussions in the Sixth Committee would lead to a clarification of the best way to proceed in the matter. It was too early to decide whether new general conventions should be prepared or whether the already existing system of conventions should be expanded. In that regard, he emphasized the importance of securing the widest possible acceptance for existing conventions on air piracy and the illegal seizure of aircraft. Norway had ratified the Tokyo and The Hague Conventions and was preparing the way for early

ratification of the Montreal Convention. He emphasized the need for combining international measures against terrorism with measures at the national level.

6. His delegation was, of course, aware that frustration and a sense of injustice could spark off uncontrolled acts. However, no State would be willing to accept such acts with impunity within its own territory, and it was surely not too much to ask that such acts should not be accepted by the international community either. Most Member States recognized the just and legitimate struggle of the peoples still under colonial rule. The Nordic peoples consistently and whole-heartedly supported the struggle for independence of the peoples of southern Africa under colonial oppression. However, under no circumstances could Norway condone terrorist acts such as murder, the taking of hostages and hijacking, whatever their motivation. In that connexion a parallel could be drawn with the question of human rights in armed conflicts, in the sense that, notwithstanding the character and justification of the causes of the belligerents, some methods of fighting were banned.

7. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that although the publicized acts of terrorism and loss of innocent lives naturally aroused indignation, an even more important aspect of the problem was the fact that international terrorism created tension in the relations between States and could easily lead to a breach of the peace. As the Minister for Foreign Affairs of the USSR had already stated, in the General Assembly (2040th plenary meeting), the Soviet Union was in principle opposed to acts of terrorism, which disrupted the diplomatic activity of States and their representatives, transport communications between them and the normal course of international contacts and meetings and also to acts of violence which served no positive ends and caused loss of human life. The Soviet Union thus opposed attempts to influence the policy of States by the perpetration of inhuman acts against innocent persons and categorically condemned terrorist methods in international affairs, irrespective of whether they were directed against Soviet citizens or against the nationals of other countries.

8. Soviet criminal legislation laid down severe punitive measures for acts of international terrorism, imposing, for example, penalties of up to 15 years for causing grievous bodily harm to a representative of a foreign State with a view to provoking war or international complications, and similar terms of imprisonment or the death sentence for killing with the same motives. Such sanctions were imposed in the legislations of many other countries too but clearly national measures were not sufficient; international measures must be taken against international terrorism and called for co-operation between States and co-ordination of their activities. The Soviet delegation considered that the measures in question should be directed towards ensuring the safety not only of persons enjoying special international protection, but of all categories of foreign nationals in a given country.

9. His delegation did not deny the necessity for an accurate definition of terrorism, particularly since it could

foil attempts by imperialist and colonialist régimes to brand as terrorists the members of national and social liberation movements. But the international community could not await an academic definition while there was a possibility of preventing certain manifestations of the evil on the basis of general understanding of the problem as a whole.

10. It should be borne in mind first of all that only international terrorism was in question, not manifestations of terrorism and other acts of violence for which preventive measures fell within the domestic competence of individual States. Secondly, a moral and political distinction must be drawn between the concept of international terrorism and the use of force in the struggle of peoples for their freedom. There was a tendency to confuse the two: thus, although the draft convention submitted by the United States (A/C.6/L.850) contained some acceptable provisions, it also comprised clauses which would add to that confusion. His delegation was on principle opposed to any attempt to use the discussion on international terrorism perpetrated by individuals in order to prejudice the struggle of peoples for their liberation or to discredit on the international political scene a struggle which had been recognized as legitimate by the United Nations.

11. As was stated in paragraph 9 of document A/C.6/418 and Corr.1, the concept of international terrorism should not be confined to acts committed for political motives, since acts perpetrated with ordinary criminal aims such as extortion, blackmail and attempts to escape punishment caused no less anxiety, concern and danger to the international community. In both cases the aim was achieved through creating fear of a cruel act. In fact, as the Brazilian representative had said at the 1357th meeting, since those crimes were directed against any one whose path happened to cross that of the criminal, they should be described as crimes *erga omnes*.

12. In urging the adoption of effective measures against international terrorism, his delegation had the protection of the innocent primarily in mind. The use of certain forms of violence, even in armed conflicts, had long been restricted by the humanitarian law branch of international law, which outlawed such acts as the holding of hostages, terror, and reprisals against civilians; and the Allied Powers had rightly judged the Nazis who had committed such crimes against the civilian populations of occupied territories to be war criminals. By the same token, those who were using methods of brutal terror in the Middle East and Indo-China should be severely condemned. Since such acts were crimes against humanity, their prevention and punishment were not dependent on causes or motives under international law. Those considerations had been used as a basis for the preparation of some of the most recent international instruments, such as the Convention for the Suppression of the Unlawful Seizure of Aircraft, done at The Hague, and a similar approach might be recommended for the drafting of instruments to prevent international terrorism.

13. A comparison had been made between certain terrorists and Robin Hood. But whereas Robin Hood had been armed with a bow and arrows, terrorists today used

automatic weapons and explosives, and might soon have deadly germs or even captured atom bombs with which to blackmail a given Government. Indeed hijackers had recently threatened to blow up an atomic factory in the United States. Thus, tolerant attitudes must be abandoned before the evil reached disastrous proportions.

14. The Soviet Union favoured the conclusion of a convention on the prevention of acts of international terrorism, to be prepared by a highly competent and authoritative organ which could submit a draft within a relatively short time. It would be wise to invite the International Law Commission to prepare a draft convention as quickly as possible, giving the item priority over all the others on its programme. The Commission's past record and familiarity with kindred topics suggested that it could deal with that task promptly and successfully. Moreover, that procedure would allow the necessary work to be done without additional cost to the United Nations. It was certainly premature to consider convening an international conference to that end, as was proposed in the United States draft resolution (A/C.6/L.851).

15. Some of the key points in the constructive report of the Chairman of the Committee on his consultations with delegations (A/C.6/L.866 and Corr.1)—the need to express censure of international terrorism, the need to distinguish between international terrorism and the use of force in the struggle for national and social liberation, the inclusion of the question in the agenda of the twenty-eighth session of the General Assembly, measures to combat international terrorism at the national legislation level and the universal participation of States in conventions for the prevention of international terrorism—might well be used as a basis for a draft resolution on the question.

16. He would have concluded his statement at that point if, at the 1361st meeting, the Israeli representative had not departed from the recommended procedure and used the debate for political ends having no bearing on the problem of combating terrorism. Similarly, the Minister for Foreign Affairs of Israel had devoted most of his address to the General Assembly to criticism and censure of the Palestine liberation movement, but had refrained from mentioning Israel's policy of violence and terror against the populations of the occupied territories and neighbouring Arab States. The USSR supported the legitimate struggle of the Arab people of Palestine for the restoration of their inalienable rights, recognized by the United Nations, and censured Israel for its policy of aggression, expansionism and terror. It certainly could not condone the acts of terrorism committed by certain elements in the Palestinian movement and certain foreign elements attached to it. Such acts dealt a blow to the national aspirations of the Palestinians and were used by the Israeli criminals to cover up and justify their brutal armed reprisals in violation of the elementary rules of international law. But the fact remained that the people of Israel were now paying with their blood for the criminal policy of their rulers.

17. A letter from the Permanent Representative of Egypt to the United Nations, addressed to the Secretary-General,

circulated recently (A/8875),¹ drawing attention to Israel's attempts to cover up its policy of terror against the Arab population by a campaign of slander against the Arab countries and the Popular Front for the Liberation of Palestine, pointed out that terrorism in the Middle East had been begun by such Zionist organizations as the Stern Gang and Irgun Zvei Leumi and that Israel was now merely continuing those terrorist practices, as might be seen from the bloody reprisals against innocent Arabs at Deir Yassin, Samu and elsewhere. Zionist terrorist activities were not confined to the Middle East, and the shootings at the Soviet Mission in New York had remained unpunished, despite the zeal with which the United States condemned terrorism in international forums; Israel's most recent barbarous terrorist device was the dispatch of letter-bombs. Censure of international terrorism should be closely linked with censure of international zionism.

18. The Portuguese delegation (1359th meeting) had also expressed condemnation of international terrorism; but the sincerity of a condemnation that came from the representatives of colonial oppressors of the peoples of Angola, Guinea (Bissau) and Mozambique was highly dubious. With regard to the Portuguese representative's interpretation of Marxism, it must be stated that Marxism-Leninism rejected individual terrorism as a method of revolutionary action, because it weakened the revolutionary movement and deflected the workers from the mass revolutionary struggle. Lenin had written that only the revolutionary struggle of the masses could achieve any serious improvement in the life of the workers and in government by the State and that no militant acts by isolated terrorists had been able to undermine tsarist autocracy and the power of capital. The entire experience of revolutionary and national liberation movements showed that the recognition of terrorism as the principal method of combat led to a division of forces and diverted active militants from their real and most important task of organizing mass movements and struggling for national or social liberation.

19. Mr. KELANI (Syrian Arab Republic), in exercise of the right of reply, said that his delegation had felt it proper to remain silent so long as the question of international terrorism was being debated in the general context of international law. But the Sixth Committee's traditions had been flouted by the Israeli representative's vilification of the Arab States supporting the Palestinian people's legitimate struggle. His delegation was thus obliged to confine itself to areas of particular concern to it.

20. Colonialism, aggression and the threat and use of force were explicitly condemned in the Charter of the United Nations. Despite that, the imperialist, colonialist and Zionist forces were unceasing in the use of their war machine, which conferred, as it were, an official status on the terrorism they were practising. Incidentally, President de Gaulle of France had observed, in November 1967, that Israel's occupation of the territories which it had taken

¹For the text of this document, see *Official Records of the Security Council, Twenty-seventh Year, Supplement for October, November and December 1972*, document S/10827.

could not proceed without oppression and expulsions and that any resistance to it would be called terrorism. Israel was a purely colonial projection in which terrorism and resistance were confused. It was inadmissible that Israel should today denounce the means which Irgun, Hagana and the Stern Gang had employed in the past. The Irgun terrorists and their leader Menahem Begin had earned the disapproval of John Kennedy before he became President, and Albert Einstein had denounced the Begin movement as a mixture of ultra-nationalism, mysticism, religion and racial superiority.

21. The assassination of Count Bernadotte, the massacres of Deir Yassin, Qibya, Qalqilyah and Tul Karm, the dynamiting of the King David Hotel at Jerusalem, and the letter-bomb campaign organized against Egypt were all the responsibility of a State which called itself civilized. The usurpation of a territory and the expulsion of its inhabitants by a State Member of the United Nations were an intolerable display of violence. Israel's expansionist aims had never been more clearly stated than in the resolutions adopted at the twenty-eighth Zionist Congress appealing to Jews throughout the world to emigrate to Palestine and the occupied territories. The corollary could only be the expulsion of the indigenous Arab peoples.

22. Since 1949, the General Assembly and the Security Council had opposed such policies, but Israel persisted in its refusal to allow the Palestinian refugees to return home, despite the United Nations expressed conviction that the plight of the displaced persons could best be relieved by their speedy return to their homes, and its call to the Government of Israel to take effective and immediate steps for their return. While many voices were calling for peace, democracy and the equality of all before the law, those very humanitarian principles were being shamelessly flouted by Israel.

23. The recent history of Israel was a succession of crimes against humanity committed regardless of the Nürnberg principles. The Commission on Human Rights had protested against the occupation of the Palestinian territories by Israeli forces, the destruction of Arab towns and villages, the massacre of the inhabitants and expulsion of the survivors, the confiscations, mass deportations and all the attacks on freedom and human dignity. Yet, the power of such protests was useless against the malevolent purposes of a State which had engaged in a long series of acts of aggression and terrorist attacks in its grim determination to exterminate the Palestinian people.

24. The Middle East conflict was primarily a struggle between the world Zionist movement and the Palestinian people. For 25 years, the General Assembly and the Security Council had vainly condemned the injustices of that war, to which the forces of imperialism and colonialism were lending their assistance. The numerous resolutions adopted by the General Assembly and the Security Council following the Israeli aggression in June 1967 were essentially concerned with the refusal to recognize the fundamental human rights of the Palestinian refugees. Citing the most significant of those resolutions, he said that

if the people of Palestine could not enforce their rights in the face of the inability of the United Nations itself to ensure that its resolutions were respected, their violence was the only answer to those who understood only violence. Self-sacrifice was the last resort of peoples who were not resigned to defeat.

25. History was repeating itself. Thirty years earlier, resistance to Nazi persecution had taken the form of an underground struggle in which it had not been possible to conform to all the rules of conventional war. Today the Palestinian people were resorting to similar methods, since the voice of reason remained unheeded. The past sufferings of the Jews did not confer on them the right to use the same violence against the Arabs. Israel was seeking by every means at its disposal to gain the sympathy of world public opinion against what it termed "Arab terrorism", relying on its skill in using fallacious arguments and avoiding incurring the blame of the international community. By distorting the true nature of the liberation movement it was trying to repress, it was seeking justification for its expansionist ambitions.

26. The terrorist means which Israel had used in order to impose itself in the Middle East had naturally engendered a resistance movement on the part of the Palestinian people. The Zionist Israelis were using the term "terrorist" to describe the Palestinian resisters who were fighting for their freedom and justice. The oppressed peoples of southern Africa had likewise been termed terrorists by the white minority.

27. The United Nations, which had declared the struggle of the Palestinian people and the indigenous African legitimate, should guarantee the Palestinians their fundamental right to self-determination and to return to their homes and their usurped land. Those guarantees existed in theory, because they had been explicitly formulated time and time again by the United Nations and by the Commission on Human Rights. But Israel had done nothing to implement those guarantees. The Israeli aggression of 1967 had paved the way for what should rightly be termed "official terrorism". By using its armed forces, on land and in the air, for terrorist forays into foreign territory, Israel had shown its desire to massacre the Palestinian people without any distinction between civilians and military. Men, women, old people and children in the neighbouring Arab countries had been savagely massacred or else perished beneath the debris of bombed buildings. Recently, hundreds of people had been the victims of attacks by Israeli armed forces on Syrian and Lebanese territory.

28. The Commission on Human Rights had recognized the atrocities committed by Israel, particularly in the territories occupied after 5 June 1967, as "war crimes", and the General Assembly had expressed deep concern at the gravity of the situation in the Middle East, which constituted a serious threat to international peace and security. That had not deterred the Israeli Defence Minister from expressing the expansionist aims of his Government by displaying what he termed the map of the "new Israel". The internal security of the Arab States was seriously

threatened by the unremitting Israeli attacks which had continued in spite of the Declaration on the Strengthening of International Security adopted by the General Assembly. Israel did not hide its intention to widen its frontiers, to occupy and settle zones that were an integral part of neighbouring Arab States and to annex the Arab part of Jerusalem. A statement by the Israeli Prime Minister in London in 1970 confirmed his Government's territorial ambitions. Israel's violence knew no bounds or frontiers, since terrorist organizations like the Jewish Defense League were exporting it even as far as the United States. The establishment by the General Assembly of the Committee on Relations with the Host Country was a direct outcome of the activities of such subversive organizations. All those facts showed clearly how Israel was persisting in spreading terror in the Arab States, in Palestine, and indeed wherever it saw fit to strike, despite formal condemnations of the objectives and methods of those acts of aggression.

29. The underlying causes of all forms of terrorism and other acts of violence were colonialism and foreign domination, denial of the right to self-determination, the usurpation of territories and the expulsion of peoples from their homeland, the acquisition of territory by force, the threat and use of force against sovereign States, the threat and use of force and other means for the intimidation of the victims of occupation, the denial of the right of peoples expelled from their homeland to return home, arbitrary arrest and detention, cultural and social repression in occupied territories, war crimes as defined at Nuremberg, support to States and entities committing such acts, racism and racist propaganda, the subversion of science and technology for the purpose of foreign domination, and activities carried out by a Government with the intention of

violating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the resolutions adopted by United Nations organs, particularly the General Assembly and Security Council.

30. The causes and manifestations of terrorism were clearly defined. Terrorist acts and provocation no longer inspired passive resignation but revolt, borne of despair at the powerlessness of the United Nations and the indifference of the outside world. Every people, conscious of its identity, its rights and its aspirations, was entitled to fight for its freedom and human dignity and for the restoration of its usurped homeland and the exercise of its right to self-determination. So long as imperialism, colonialism and zionism persisted, there could be no guarantee for international peace and security.

31. The CHAIRMAN noted that the representative of the Syrian Arab Republic by the length of his statement had in fact made a substantive contribution to the debate and had enlarged the scope of the right of reply. He requested that future statements made in exercise of the right of reply should be brief.

32. Mr. KELANI (Syrian Arab Republic) said that, when requesting to speak in exercise of the right of reply, he had informed the Chairman that he would require 30 minutes to do so. He had confined his statement to a specific issue referred to on the previous day by the Israeli representative, who had directly attacked a number of Arab countries, including the Syrian Arab Republic.

The meeting rose at 12.25 p.m.