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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

Letter dated 21 May 1987 from the Permanent Representative of
the Libyan Arab Jamahiriya to the United Nations addressed to
the Secretary-General

The International Progress Organization, an international non-governmental organization in consultative status with the United Nations and the United Nations Educational, Scientific and Cultural Organization, recently held an International Conference on the Question of Terrorism at Geneva, from 19 to 21 March 1987.

I have the honour to enclose the Geneva Declaration on Terrorism, the product of this important meeting (see annex), with the request that the text be circulated as a document of the General Assembly under item 128 of the preliminary list.

(Signed) Dr. Ali A. TREIKI
Permanent Representative

* A/42/50.

ANNEX

Declaration adopted by the International Conference
on the Question of Terrorism, held at Geneva from
19 to 21 March 1987

PREAMBLE

The peoples of the world are engaged in a fundamental series of struggles for a just and peaceful world based on fundamental rights now acknowledged as sacred in a series of widely endorsed international legal conventions.

These struggles are opposed in a variety of cruel and brutal ways by the political, economic and ideological forces associated with the main structures of domination present in the world that spread terrorism in a manner unknown in prior international experience. Although these struggles are global in scale, there are certain arenas that require particular attention and urgent action at this time. We mention in this regard the central struggle in southern Africa against the apartheid system, the criminal régime and policies that sustain this system and engage in military interventions throughout the region, spreading terrorism beyond the immediate battlegrounds of South Africa and Namibia; we mention the ongoing struggle of the Palestinian people for their homeland in the face of Israeli and United States military and paramilitary policies throughout the entire Eastern Mediterranean region bringing special hardships and anguish to the people of Lebanon; and we mention the struggles in Central America against reactionary forces in and out of governmental control that are being organized and orchestrated by the United States through the special instrumentality of the Central Intelligence Agency (CIA).

Against this background of torment and struggle, the debate about international terrorism is waged, being manipulated in the media and elsewhere by forces of domination; the public is encouraged to associate terrorism exclusively with those victims of this system. We seek to make clear that terrorism is overwhelmingly an expression of these structures of domination and only very derivatively of the struggles that arise in legitimate resistance.

Let us understand that the distinguishing feature of terrorism is fear and that this fear is stimulated by threats of indiscriminate and horrifying forms of violence directed against ordinary people everywhere. The most flagrant type of international terrorism consists of preparations to wage nuclear war, especially to extend nuclearism to outer space and to work feverishly for the presence of first-strike weaponry. Terrorism involves the prospects of holocausts unleashed by State power against the peoples of the world.

The terrorism of modern State power and its high technology weaponry exceeds qualitatively, by many orders of magnitude, the political violence relied upon by groups aspiring to undo oppression and achieve liberation.

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Let us also be clear: we favour non-violent resistance wherever possible and we praise those long efforts by the liberation movement in South Africa and elsewhere to avoid violence in their pursuit of justice. We condemn all those tactics and methods of struggle that inflict violence directly upon innocent civilians as such. We want no part of any form of terrorism but we must insist that terrorism originates with nuclearism, criminal régimes, crimes of State, high-technology attacks on third world peoples and systematic denials of human rights. It is a cruel extension of the terrorist scourge to taunt the struggles against terrorism with the label "terrorism". We support these struggles and call for the liberation of political language along with the liberation of peoples.

Terrorism originates from the statist system of structural violence and domination that denies the right of self-determination to peoples (e.g., in Namibia, Palestine, South Africa); that inflicts a gross and consistent pattern of violations of fundamental human rights upon its own citizens (e.g., in Chile, El Salvador, Guatemala, South Africa); or that perpetrates military aggression and overt or covert intervention directed against the territorial integrity or political independence of other States (e.g., Afghanistan, Angola, Grenada, Lebanon, Libyan Arab Jamahirya, Mozambique, Nicaragua).

I. STATE TERRORISM

In particular, State terrorism manifests itself in:

1. Police State practices against its own people to dominate through fear by surveillance, disruption of group meetings, control of the news media, beatings, torture, false and mass arrests, false charges and rumours, show trials, killings and summary executions;
2. The introduction or transportation of nuclear weapons by a State into or through the territory or territorial waters of other States or into international waters;
3. Military exercise manoeuvres or war games conducted by one State in the vicinity of another State for the purpose of threatening the political independence or territorial integrity of that other State (e.g., in Honduras, in Korea, in the Gulf of Sirte);
4. Armed attack by the military forces of a State on targets that put at risk the civilian population residing in another State (e.g., the bombings of Benghazi, Tripoli and Tunis, Druze villages in Lebanon and Kurdish villages);
5. Creation and support of armed mercenary forces by a State for the purpose of subverting the sovereignty of another State (e.g., against Nicaragua, Angola, Mozambique);
6. Assassinations, assassination attempts, and plots directed by a State towards the officials of other States, or national liberation movements, whether carried out by military strike, special forces units or covert operations by

"intelligence forces" or their third party agents (e.g., by the CIA against Nicaraguan politicians, the Qadhafi family, Yasir Arafat);

7. Covert operations by the "intelligence" or other forces of a State which are intended to destabilize or subvert another State, national liberation movements, or the international peace movement (e.g., the bombing of the Rainbow Warrior);

8. Disinformation campaigns by a State, whether intended to destabilize another State or to build public support for economic, political or military force or intimidation directed against another State;

9. Arms sales which support the continuation of regional wars and retard the search for political solutions to international disputes;

10. Abrogation of civil rights, civil liberties, constitutional protections and the rule of law under the pretext of alleged "counter-terrorism";

11. Development, testing and deployment of nuclear and space-weapons systems that in all circumstances increase the probability of genocide and ecocide, while condemning the poor to continued misery and starvation and all humanity to a state of perennial fear.

It follows that the most dangerous and detrimental form of State terrorism in the world today is that practised by the nuclear-weapons States against the rest of the international community, which is euphemistically called "nuclear deterrence". This system of nuclear terrorism actually constitutes ongoing international criminal activity, namely, the planning, preparation and conspiracy to commit crimes against peace; crimes against humanity, war crimes, genocide and grave breaches of the Four Geneva Conventions of 1949. Hence those Government decision makers in the nuclear-weapons establishments are today subject to personal criminal responsibility and punishment under the Nuremberg Principles for the nuclear terrorism they daily inflict upon all States and peoples of the world community.

That being said, we nevertheless welcome the constructive proposals put forth by the Soviet Government to achieve genuine nuclear-arms control and reduction agreements with respect to space weapons, strategic nuclear weapons and intermediate nuclear forces. We regret that the United States Government has failed to respond to these promising initiatives, but has instead exacerbated the nuclear-arms race by pursuing its so-called Strategic Defense Initiative.

II. NATIONAL LIBERATION MOVEMENTS

As repeatedly recognized by the United Nations General Assembly, peoples who are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination have the right to use force to accomplish their objectives within the framework of international humanitarian law. Such lawful uses of force must not be confused with acts of international terrorism. Thus, it would be legally impermissible to treat members

of national liberation movements in the Caribbean Basin, Central America, Namibia, Northern Ireland, the Pacific Islands, Palestine and southern Africa, among others, as if they were common criminals. Rather, national liberation fighters, particularly, those whose movements are recognized under Protocol I, should be treated as combatants subject to the laws and customs of warfare and to the international laws of humanitarian armed conflict as evidenced, for example, by the 1907 Hague Regulations, the Four Geneva Conventions of 1949, and their Additional Protocol I of 1977. Hence, national liberation fighters would be held to the same standards of belligerent conduct that are applicable to soldiers fighting in an international armed conflict. Thus, when a liberation fighter is captured by a belligerent State, he should not be tried as a criminal, but should be treated as a prisoner of war. He could be interned for the duration of the conflict, or released upon condition of a pledge to refrain from further participation in hostilities, or traded in a prisoner of war exchange. In the event such a national liberation fighter is found in a neutral State, he should not be subjected to extradition to the belligerent State.

In the spirit of Geneva Protocol I, just as is true for soldiers in regular armed forces, when a national liberation fighter is captured after directly attacking innocent civilians as such, he would still be treated as a prisoner of war, but would be subject to prosecution for the commission of war crimes before an impartial international tribunal, preferably in a neutral State or by an international court. And, to the extent that the concerned belligerent States refuse to treat national liberation fighters analogously to soldiers for political reasons or propaganda purposes, they must assume a considerable amount of direct responsibility for whatever violence that is inflicted upon their civilian populations by national liberation fighters.

Nevertheless, we wish to emphasize that the overwhelming majority of violations of the laws and customs of warfare have been and are still being committed by the regular, irregular, paramilitary and covert forces of States, not by national liberation fighters. The Western news media have purposely distorted and perverted this numerical relationship in order to perpetrate the cult of counter-terrorism for their Governments' own militaristic and terroristic purposes.

III. NON-INTERNATIONAL ARMED CONFLICTS

With respect to those situations where sub-national groups or organizations use force against the apparatus of the State but nevertheless do not represent national liberation movements, we affirm the applicability of common article 3 to the Four Geneva Conventions of 1949 and their Additional Protocol II of 1977 to these non-international armed conflicts. In particular, the fundamental distinction between combatants and non-combatants must be maintained at all times and under all circumstances.

IV. THE ROLE OF THE INTERNATIONAL MEDIA

The international media also play a direct role in international terrorism when they uncritically disseminate disinformation from "official sources" that creates public support for the use of deadly force or other forms of economic and political violence against another State. The international media also play an indirect role in terrorism through a pattern of selective definition and coverage. The media specifically ignore or understate institutional forms of terrorism, preserving the term instead for national liberation movements and their supporters. In such ways, the media become agents of ideological control, advancing an inverted standard of terrorism.

V. CONCLUSION

The principles of the United Nations Charter - if applied in all of their ramifications - constitute an effective instrument for reshaping the actual policies of power and hegemony among sovereign States into those of mutual respect. Conversely, the real international terrorism is founded in the imposition of the will of the powerful States upon the weak by means of economic, political, cultural and military domination. We declare that the key to ending all forms of terrorism is the development of new relations among nations and peoples based on unfailing respect for the right to self-determination of peoples, and on a greater measure of economic, political and social equality on a world scale.
