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Chairman: Mr. CALLE Y CALLE (Peru)

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AGENDA ITEM 113: UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW: REPORT OF THE SECRETARY-GENERAL (continued) (A/36/633; A/C.6/36/L.25)

1. Mr. Suk Heun YUN (Observer for the Republic of Korea) said that his country attached great importance to the Programme under consideration, which was instrumental in the progressive development of international law and its codification and in the realization of world peace through law.
2. He welcomed the considerable achievements of the United Nations, UNITAR, UNESCO, the Hague Academy of International Law and other public and private institutions in that field.
3. As its economy grew and exchanges with other countries in various fields expanded, the Republic of Korea had a growing need for experts and scholars who were well acquainted with the major legal systems in the world.
4. He hoped that the developing countries would be offered greater opportunities for participation in the United Nations Programme. In that connexion, he expressed his gratitude to the United Nations and to UNITAR for accepting a trainee from the Republic of Korea under the United Nations-UNITAR Fellowship Programme in International Law for 1981.
5. He stressed that, under his country's Constitution, the generally recognized rules of international law were part of the law of the land: those rules, together with treaties, were respected on an equal footing with domestic law. The rule of law was considered to be a cardinal principle of democracy, and each year the Republic of Korea observed a national day to emphasize the importance of that principle.
6. In the Republic of Korea, international law was taught and research in that field was conducted at universities and other institutions of higher learning. International law was a mandatory subject in faculties of law and political science. In examinations for the recruitment of government officials, that subject was also mandatory for diplomatic service candidates, while it was optional for others. The Korean Association of International Law, which had been established in 1953 and was composed of approximately 200 scholars and experts in international law, held monthly symposiums on topics related to international law and semi-annually published The Korean Journal of International Law.
7. Under his Government's auspices, various international conventions, meetings and lectures had been held at Seoul, for example the twentieth annual session of the Asian-African Legal Consultative Committee in 1979 and, early in 1981, a workshop on the law of the sea, in which prominent scholars and experts from various parts of the world had participated.

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8. He had carefully studied the report of the Secretary-General (A/36/633) and fully supported chapter III of the report (Recommendations of the Secretary-General regarding execution of the Programme in 1982-1983).

9. His Government would make the necessary arrangements to ensure that qualified experts from the Republic of Korea were included in the register of experts and scholars in international law so that they could have greater opportunities to make their contribution in that field.

10. Referring to the United Nations-UNITAR regional training and refresher courses in international law for the Asian and Pacific region, which were scheduled to take place during 1982, he informed the Committee that his Government was prepared to host the courses, if the United Nations and UNITAR so desired. He assured the Committee that his country would do its best to guarantee the success of that undertaking.

11. Mr. ROSENNE (Israel) said that his delegation had carefully studied the report of the Secretary-General (A/36/633), but regretted the fact that, because of its belated distribution, other delegations had not had sufficient time to do so. Therefore, he merely wished to comment on what had been omitted from the report. As the title of agenda item 113 indicated, four separate subjects were to be dealt with, namely, the teaching, study, dissemination and wider appreciation of international law, which were directed towards four different categories of recipients. However, the report did not seem to have included all those questions. It also failed to give a complete picture even of the legal activities carried out within the framework of the United Nations itself, since it did not mention, for example, either the legal aspects of the new international economic order, which was being dealt with by many United Nations organs, or the extremely important work currently being conducted by UNEP in connexion with the law of the environment. In addition, the massive documentation submitted to the General Assembly alone, for example the report of UNITAR and of the United Nations University, revealed large areas of activity which were not well-known and which, according to the report, were not covered by the Programme.

12. His delegation therefore wished to return to a suggestion made previously, namely, that it was now essential for the Secretariat to organize the systematic dissemination of general information on the large number of legal activities being conducted by the United Nations and its specialized agencies. As a minimum, one might envisage the publication of an information bulletin on legal activities, similar to that issued periodically by the Council of Europe. The latter bulletin could serve as a model for the proposed information bulletin, which would circulate information on all the legal activities conducted by the United Nations system, without going into details, and which would appear twice each year.

13. Paragraph 7 of the report gave the impression that the UN Monthly Chronicle fulfilled that need. However, his delegation did not agree, and it therefore asked the Secretariat to consider more closely the whole problem of the dissemination of up-to-date information on all the legal activities conducted within the framework of the United Nations and the specialized agencies. The

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(Mr. Rosenne, Israel)

Office of Legal Affairs was especially well-placed to receive and disseminate such information, and his delegation hoped that a full report on that matter would be submitted to the thirty-seventh session of the General Assembly.

14. Draft resolution A/C.6/36/L.25 did not create any difficulties for his delegation, although it could be further improved. In addition, he supported the proposal for the celebration of a United Nations Day for International Law, which could receive unanimous support. His delegation also welcomed the fact that draft resolution A/C.6/36/L.27 had been withdrawn.

15. Mr. MIKUMI (Zaire) emphasized that it was absolutely essential to disseminate and teach international law at all levels, because the international community was keenly interested in the progressive development of international law, which was primarily the concern of the International Law Commission. The Hague Academy of International Law and UNITAR, in whose activities he had been personally involved, also played an important part in that connexion. His delegation therefore believed it was proper to encourage all efforts to promote the teaching, study, dissemination and wider appreciation of international law.

16. The CHAIRMAN announced that Madagascar had become a sponsor of draft resolution A/C.6/36/L.25.

AGENDA ITEM 114: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS, AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE SECRETARY-GENERAL (continued) (A/36/425; A/C.6/36/L.28)

17. Mr. KHERAD (Afghanistan) observed that acts of international terrorism imperilled not only the lives and security of innocent individuals, but also international co-operation among States. His delegation was therefore opposed to the odious practice of terrorism, including the taking of hostages, which disrupted the diplomatic activity of States and their representatives. It believed that the international community should promptly take energetic and effective steps to put an end to such practices.

18. Defining terrorism was a problem because some parties sought to assimilate legitimate acts occurring in the course of national liberation struggles against colonial, neo-colonial and racist oppression with acts of terrorism. Others tried to draw a more subtle distinction, condemning specific categories of terrorism as defined by analysing the basic causes of international terrorism. The United Nations Charter itself recognized the legitimacy of the struggle of peoples against all forms of colonial or racist domination and apartheid. The definition of terrorism should encompass serious international offences, including acts of violence against diplomats and foreigners on account of their nationality, as well as crimes committed for motives falling within the ambit of ordinary law.

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(Mr. Kherad, Afghanistan)

19. A number of international legal instruments such as the Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949), the Hague Convention for the Suppression of Unlawful Seizure of Aircraft (1970), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971) and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973) established the principles that should be applied in combating such acts of violence. It was important, therefore, that they should be acceded to by the greatest possible number of States and strictly observed. His delegation felt that the effectiveness of international co-operation in the campaign against acts of international terrorism depended largely on the efficacy of the steps taken by States at the national level. It was primarily for States, as members of the international community, to eradicate the circumstances and causes underlying international terrorism and to adopt the measures necessary to combat terrorism effectively; it would then be possible to close certain legal loop-holes and create conditions conducive to the enforcement of international instruments. No international agreement or resolution could be effective unless all States took firm steps.

20. His delegation was prepared to co-operate with others in the continuing search for appropriate solutions and methods with a view to preventing and combating international terrorism.

21. Mr. MAKAREVICH (Ukrainian Soviet Socialist Republic) said that since the latter part of the 1970s one serious problem in the forefront of world political life - political extremism accompanied by the gravest forms of terrorism - had become so widespread that it had assumed the proportions of a social phenomenon. An investigation of international terrorism and means of combating the scourge, which disrupted the internal life of States and seriously affected the international order, was thus of special importance at the current juncture.

22. There were those who, pretending not to understand the true nature of terrorism, took advantage of the situation to try and discredit Marxist-Leninist theory and national liberation struggles against Fascist and dictatorial régimes, colonialism and neo-colonialism. In the report of the twenty-sixth Congress of the Communist Party of the Soviet Union, the General Secretary of the Party had emphasized that reactionary and imperialist circles were trying to pass off mass liberation movements as manifestations of terrorism.

23. In view of the fact that over two billion people had thrown off the colonial yoke since the Second World War, it was obvious that anyone who now sought to equate national liberation movements with international terrorism either had not understood the first thing about the historical development of the international community or had unavowable intentions. According to such reasoning, the emergence on the political map of a large number of independent States must be the outcome of international terrorism. Efforts were being made to force world public opinion to accept such ideas, which made a mockery of the aspirations of millions of men and women in Africa, Asia and Latin America who were still fighting against the

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(Mr. Makarevich, Ukrainian SSR)

remains of colonialism, foreign interference and assaults on their human dignity. According to all appearances, those conducting the campaign of misinformation were trying to conceal their responsibility for the deterioration of the international situation and to retain a free hand for meddling directly in the domestic affairs of other peoples.

24. The Ukrainian Government, whose position on the agenda item under consideration was set forth in document A/36/425, strongly condemned terrorism, which was absolutely incompatible with the socialist ideal and contrary to the peaceful spirit of the Soviet peoples. The Ukrainian Soviet Socialist Republic was a signatory to a number of conventions concerning different aspects of international terrorism.

25. His delegation was aware that international terrorism was aimed at breaking the democratic forces' front, creating tensions between States, undermining normal international relations and enabling the capitalist monopolies to maintain their domination; it urged the United Nations not to cease combating the scourge of international terrorism, and to promote international co-operation with a view to the speedy adoption of effective measures to prevent and curb all manifestations of international terrorism, which was so dangerous for the international community.

26. Mr. ROSENNE (Israel), speaking in exercise of the right of reply, which he had agreed to do before the end of the debate on agenda item 114, said that he reserved the right to speak again in exercise of the right of reply if necessary.

27. Apart from some serious statements, the debate on item 114 had been largely a series of diatribes repeating well-known positions already reflected in resolution 34/145, on which his delegation had abstained. Those monologues had contained all the clichés about Israel and the Jewish national liberation movement, zionism, which he had the honour to represent. All sorts of far-fetched accusations had been repeated ad nauseam, Goebbels style, without a shred of proof or attempt at proof, by the selfsame voices which claimed that national liberation movements were exempt from all the rules of normal civilized conduct and that the acts of terrorism committed by them or in their name were legitimate acts of self-defence.

28. Regarding one of those scurrilous attacks in particular, he would say that what was sauce for the goose was sauce for the gander and that Israel could not accept that conventions and protocols which were not in force or binding on a State could impose any obligations on that State, especially when such a doctrine was propounded in such lurid terms by representatives of a Government whose greed for power was unbounded and which shrank from no form of terrorism, including State terrorism, to attain its aims.

29. What had surprised and pained him in the debate was that no attention had been paid to new forms of indiscriminate terrorism which the régime in question

(Mr. Rosenne, Israel)

and others of the same brand had invented in the past few years, notwithstanding their support for resolution 34/145. He was referring to an ugly form of mass terrorism - a form of duress on other Governments - which had made its appearance on several continents and which consisted in bomb attacks on places of worship, especially synagogues. In the past two years alone, nine such attacks on synagogues had been recorded in cities as far apart as Antwerp, Buenos Aires, Cairo, Montevideo, Paris and Vienna, which showed how widespread the plague had become and what dangers it presaged for innocent bystanders the world over and for unsuspecting Governments. Sometimes those attacks were waged at night, through booby-trapped cars parked near synagogues; others took place during the hours of worship, especially on religious holidays. Although there had fortunately been few deaths, many people had been wounded and a large number of the casualties had been simple passers-by, not even Jews, having no connexion with the synagogues. That type of "hit-squad" attack on public places, especially places of worship of any denomination, warranted the strongest form of international condemnation.

30. Hitherto, synagogues had been the main objects of that kind of attack, but tomorrow it might be churches, mosques, mesjids or temples. His delegation hoped that the United Nations, which had just adopted a declaration on the elimination of religious intolerance, would use all its influence to bring about a universal condemnation of that new form of terrorism, which was well known to some representatives or their Governments, and if necessary take concrete steps to stamp out the scourge. He called upon all Governments and all competent international organizations and agencies, including INTERPOL, to co-operate in preventing the recurrence of such attacks and in apprehending and punishing their perpetrators.

31. When Israel had been admitted to the United Nations as a Jewish State in 1949, its representative had expressed his country's fervent wishes for the security, dignified existence and equality of rights of Jews everywhere. Israel still maintained that position.

32. The scurrilous attacks to which Israel had been subjected in the present debate were an example of the diplomacy of confrontation which was proving such an obstacle to the strengthening of the role of the Organization in the conduct of international affairs. They were an unabashed violation of the principle enshrined in the Charter that the United Nations should be a centre for harmonizing the actions of nations. If he had refrained from taking part in the general debate on item 114 and presenting the Committee with the full bill of indictment which he could draw up against many of those who had persisted in denigrating his country at the past few meetings, it was because he had not wished to disturb the serenity which generally characterized the debates of the Sixth Committee. He regretted that those scurrilous attacks on his country had compelled him to make the present reply.

The meeting rose at 11.50 a.m.