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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

Report of the Secretary-General

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ANNEX

STATE OF SIGNATURES, RATIFICATIONS OR ACCESSIONS OF INTERNATIONAL
CONVENTIONS RELATING TO VARIOUS ASPECTS OF THE PROBLEM OF
INTERNATIONAL TERRORISM (PARAGRAPH 8 OF GENERAL ASSEMBLY
RESOLUTION 34/145 of 17 DECEMBER 1979)

- A. CONVENTIONS IN RESPECT OF WHICH THE SECRETARY-GENERAL
OF THE UNITED NATIONS PERFORMS DEPOSITORY FUNCTIONS
1. Convention on the Prevention and Punishment of
Crimes against Internationally Protected Persons,
including Diplomatic Agents, adopted by the General
Assembly of the United Nations on 14 December 1973
 2. International Convention against the Taking of
Hostages adopted by the General Assembly of the
United Nations on 17 December 1979

B. CONVENTIONS IN RESPECT OF WHICH THE INTERNATIONAL
CIVIL AVIATION ORGANIZATION OR SOME MEMBER STATES
PERFORM DEPOSITORY FUNCTIONS

1. Convention on Offences and certain Acts committed
on board Aircraft, signed at Tokyo on
14 September 1963
2. Convention for the Suppression of Unlawful Seizure
of Aircraft, signed at The Hague on 16 December 1970
3. Convention for the Suppression of Unlawful Acts
against the Safety of Civil Aviation, signed at
Montreal on 23 September 1971

I. INTRODUCTION

1. On 17 December 1979, the General Assembly adopted resolution 34/145, the operative part of which read as follows:

"The General Assembly,

...

"1. Welcomes the results achieved by the Ad Hoc Committee on International Terrorism during its last session, held from 19 March to 6 April 1979;

"2. Adopts the recommendations submitted to the General Assembly relating to practical measures of co-operation for the speedy elimination of the problem of international terrorism;

"3. Unequivocally condemns all acts of international terrorism which endanger or take human lives or jeopardize fundamental freedoms;

"4. Condemns the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;

"5. Takes note of the study of the underlying causes of international terrorism contained in the report of the Ad Hoc Committee;

"6. Urges all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism;

"7. Calls upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State, or acquiescing in organized activities within their territory directed towards the commission of such acts;

"8. Appeals to States which have not yet done so to consider becoming parties to the existing international conventions relating to various aspects of the problem of international terrorism, specifically, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, 1/ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, 2/ the

1/ United Nations, Treaty Series, vol. 704, No. 10106, p. 219.

2/ Ibid., vol. 860, No. 12325, p. 106.

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971, 3/ and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted at New York on 14 December 1973: 4/

"9. Invites all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, such as the harmonization of domestic legislation with international conventions, the implementation of assumed international obligations and the prevention of the preparation and organization in their territory of acts directed against other States:

"10. Recommends to the appropriate specialized agencies and regional organizations that they should consider measures to prevent and combat international terrorism within their respective spheres of responsibility and regions;

"11. Urges all States to co-operate with one another more closely, especially through the exchange of relevant information concerning the prevention and combating of international terrorism, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular regarding the extradition or prosecution of international terrorists:

"12. Invites Governments to submit their observations and concrete proposals, in particular on the need for an additional international convention or conventions on international terrorism;

"13. Recognizes that, in order to contribute to the elimination of the causes and the problem of international terrorism, both the General Assembly and the Security Council should pay special attention to all situations, including inter alia, colonialism, racism and situations involving alien occupation, that may give rise to international terrorism and may endanger international peace and security, with a view to the application, where feasible and necessary, of the relevant provisions of the Charter of the United Nations, including Chapter VII thereof;

"14. Requests the Secretary-General:

"(a) To prepare a compilation on the basis of material provided by Member States of relevant provisions of national legislation dealing with the combating of international terrorism;

3/ United States Treaties and Other International Agreements, vol. 24, part one (1973), p. 568.

4/ Resolution 3166 (XXVIII), annex.

"(b) To follow up, as appropriate, the implementation of the recommendations contained in the report of the Ad Hoc Committee and to submit a report to the General Assembly at its thirty-sixth session;

"15. Decides to include the item in the provisional agenda of its thirty-sixth session."

2. By a note dated 29 January 1980 the Secretary-General invited Governments to communicate to him the observations, concrete proposals and material referred to in paragraphs 12 and 14 (a) of resolution 34/145 as well as any information or other relevant material deemed to be appropriate for inclusion in the report by the Secretary-General requested in paragraph 14 (b) of the same resolution.
3. By a letter dated 29 January 1980 the Secretary-General also invited specialized agencies and the International Atomic Energy Agency as well as various regional organizations to communicate to him any information or other relevant material deemed to be appropriate for inclusion in the report of the Secretary-General referred to above.
4. As at 1 September 1981 replies to the Secretary-General's note and letter had been received from the Governments of the Byelorussian Soviet Socialist Republic, Denmark, the German Democratic Republic, Greece, Qatar, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United States of America and from the following international organizations: International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, Universal Postal Union and Council of Europe.
5. The present report consists of the following: observations and proposals submitted by Governments under paragraph 12 of General Assembly resolution 34/145; material on national legislation provided by Member States under paragraph 14 (a) of that resolution; and information and other relevant material transmitted by specialized agencies and other international intergovernmental organizations. In addition, further to paragraph 14 (b) of the above-mentioned resolution, an annex has been included containing the state of signatures, ratifications or accessions as at 5 August 1981 of international conventions relating to various aspects of the problem of international terrorism (paragraph 8 of the resolution).
6. Any additional observations, proposals and materials which might be received after 1 September 1981 will be published as addenda to the present report.

II. OBSERVATIONS AND PROPOSALS SUBMITTED BY GOVERNMENTS

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

/Original: Russian/

/1 August 1980/

Measures to prevent international terrorism

1. The Byelorussian SSR, which unswervingly pursues a peace-loving foreign policy and seeks to strengthen the security of peoples and to promote broad international co-operation, is strongly opposed to acts of international terrorism, which interfere with the normal development of relations between States, disrupt the diplomatic activities of representatives of States as well as transportation links, pose a threat to human health and life and even claim human lives. Such acts represent a threat to the maintenance of international peace and security.
2. The Byelorussian SSR vigorously condemns acts of international terrorism regardless of whether they are committed by individuals, groups, organizations or even States.
3. This position of principle on the part of the Byelorussian SSR has been repeatedly set out at sessions of the United Nations General Assembly and in a reply of the Byelorussian SSR to the Secretary-General of the United Nations (A/AC.160/1/Add.2 of 2 July 1973).
4. Representatives of the Byelorussian SSR have taken part, both at the United Nations and in other international bodies, in the formulation of measures directed against international terrorism and providing for the punishment of persons guilty of such acts. Evidence of this is the contribution made by the Byelorussian SSR to the preparation and implementation of a number of international conventions, namely the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft (ratified by the Byelorussian SSR in 1971), the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (ratified by the Byelorussian SSR in 1972) and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (ratified by the Byelorussian SSR in 1975).
5. Accession to these international legal instruments by the largest possible number of States and their strict observance will help to create more favourable international conditions for preventing international terrorism and facilitating efforts to combat it.
6. The Byelorussian SSR also believes that, if a social evil like international terrorism is to be successfully opposed, all States must take effective action at the national level to create an atmosphere of intolerance towards international

terrorism, to suppress all attempts to organize or carry out acts of international terrorism and to ensure severe punishment of those guilty of such acts. It is States that bear primary responsibility for eradicating the conditions and causes that give rise to international terrorism and for taking effective action to combat it. United Nations documents have listed the following as among the causes of international terrorism: poverty and hopelessness, colonialism, aggression, violation of the political independence, national sovereignty and territorial integrity of States, interference in the internal affairs of other States and racial discrimination.

DENMARK

/Original: English/

/5 March 1981/

1. The Danish Government, with a view to combating international terrorism, has ratified all the conventions mentioned in operative paragraph 8 of General Assembly resolution 34/145.
2. Denmark has furthermore ratified the European Convention on the Suppression of Terrorism, done at Strasbourg on 27 January 1977, and is considering ratification of the International Convention against the Taking of Hostages adopted by the General Assembly of the United Nations on 17 December 1979.

GERMAN DEMOCRATIC REPUBLIC

/Original: English/

/3 October 1980/

1. In accordance with the basic principles of its policy, the German Democratic Republic as a socialist State firmly rejects any acts of international terrorism and reaffirms its position as submitted to the Secretary-General of the United Nations on 19 April 1979 (A/AC.160/4/Annex).
2. The German Democratic Republic furthermore reiterates its preparedness to join with other States in the search for appropriate ways to prevent and combat international terrorism throughout the world.
3. In response to the provisions of paragraph 12 of General Assembly resolution 34/145 of 17 December 1979, the German Democratic Republic recalls its position regarding the drafting of an international convention against the use, recruitment, training and financing of mercenaries. An international legal instrument on that particular form of international terrorism could be an effective measure against practices which pose a serious threat to international peace and security.

GREECE

/Original: English/

/2 February 1981/

1. As it has already stated, the Greek Government attaches great importance to combating international terrorism and to the need for international co-operation in pursuing this aim.
2. Although it has only been affected by a few isolated terrorist acts, Greece has adopted three laws (480/1976, 495/1976, 774/1978) on the suppression of terrorism, providing for severe penalties and strict procedures for the immediate punishment of those found guilty of terrorist acts.
3. It has, moreover, already ratified a number of international conventions dealing with this matter (Convention on Offences and Certain Other Acts committed on Board Aircrafts, done at Tokyo on 14 September 1963, Convention on the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970 and Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971) while others are in the process of being ratified (Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, done at New York on 14 December 1973 and European Convention on the Suppression of Terrorism, done at Strasbourg on 27 January 1977).
4. In the opinion of the Greek Government, it is of primary importance that all States, which have not already done so, sign and ratify the already existing international conventions and take the appropriate measures for their strict implementation in conformity with the appeal included in General Assembly resolution 34/145.
5. As far as Greece is concerned, having so readily responded to the need for international co-operation, she will continue to do so in the future and, therefore, would have no objection to the adoption of an additional convention, should this be deemed necessary in order to ensure a more effective way of suppressing international terrorism.

QATAR

/Original: Arabic/

/22 April 1981/

Introduction

1. Terrorism is material or moral coercion applied by a criminal in the commission of any crime against the person or property or any right of another or his fundamental freedoms, the public confidence necessary in interaction, official or private papers or other objects and intended to instil terror in the

/...

victim or others and persuade him or others under the influence of this terror and the resultant shackling of the will and moral pressure, to give something, perform some act or refrain from action. Terrorism usually involves the use of force or violence or the threat of their use in the commission of the crime. Subterfuge, trickery, fraud and bribery, which may sometimes be used in the commission of these crimes, do not instil terror in the victim or others and are not regarded as terrorism.

2. It follows from the above that terrorism is something extraneous to the crime itself and may or may not be used in its commission. It is merely an aggravating circumstance of the crime and is not counted as one of its basic elements. The hijacking of aircraft, for example, may be effected through terrorism or may be effected by subterfuge, trickery, bribery, fraud or forgery, for example, if a person presents forged papers to those responsible for guarding the aircraft, leading them to believe that he is the pilot so that they hand it over to him and he hijacks it, or if he bribes the crew of the aircraft to change their course and enable him to hijack or seize it.

3. Terrorism may be international or local in accordance with the nature of the crime which accompanies it. If the crime is international, the accompanying terrorism is international likewise, and if the crime is internal or local, the terrorism is regarded as local likewise, inasmuch as it derives its character from the crime. The crime is regarded as international, regardless of whether it is a crime against the person, a crime against property or other, in the following cases in particular:

(a) Where the victim is an official representative of a particular State and the crime against him occurs during or because of his official work outside his country.

(b) Where the victim is an official representative to or employee of an international or regional organization or a specialized agency or a specialized office belonging to it who enjoys diplomatic immunity or privileges, whether the crime against him is committed in or outside the State where such organization, agency or office is located.

(c) Where the property against which the crime is committed belongs to a foreign State, an international organization, a foreign international company or a multinational company.

(d) Where the site of the crime is a communications facility and a means of external communications.

(e) Every crime against the person or property committed in an area lying outside the boundaries of the national sovereignty of any State, such as the high seas, outer space or elsewhere.

(f) Every war crime committed in a war which breaks out between two or more States regardless of whether the war is on land, at sea in the air or in outer space.

Every one of these crimes which is accompanied by material or moral terrorism is regarded as an international terrorist crime, called by some, by way of brevity, "international terrorism". The punishment imposed for it is more severe than that imposed for an ordinary international crime without terrorism, inasmuch as terrorism is an aggravating circumstance which justifies intensification of the punishment in the same way as other aggravating circumstances of a crime.

4. It is a precondition for punishment of an international crime, whether or not accompanied by terrorism, that there shall be no justifying causes or impediment to punishment operating in favour of the perpetrator. Self-defence is regarded as among the foremost of such causes, since an act is not regarded as terrorism and is not punishable under international law if the motive for it is defence of the legitimate rights of an individual or people, the most important being the human rights laid down in the United Nations covenants, the right of a people to self-determination, its right to liberate its occupied territory and its right to resist occupation. The use of force in defence of these rights is a legitimate use under the provisions of conventional and customary general international law.

5. Some of the most important and, at the present time, most widely spread crimes of international terrorism are as follows:

- (a) The crime of hijacking;
- (b) The crime of damaging ground facilities at international airports;
- (c) The crime of kidnapping diplomats using force or threat of the use of force;
- (d) The crime of taking diplomats hostage.

6. In order to combat international terrorism, it is necessary to combat the international crimes which accompany it, because terrorism is but an aggravating circumstance of such a crime or an additional crime committed with the principal crime in order to facilitate the perpetration of the latter, eliminate or limit the resistance of the victim and force him to comply with the will of the offender without any resistance or without significant resistance.

7. The best way to combat or curb international crimes, whether terrorist or non-terrorist, is to examine the most important causes of such crimes and the motives underlying them and then to examine the most important practical means of removing, eliminating or restricting these causes or motives.

8. We shall review the provisions in Qatar legislation that deal with the combating of international terrorism on the basis of the following detailed outline.

The causes of international terrorism and the most
important means of combating it

I. The causes of international terrorism

9. The causes of international terrorism are divided into political, economic, human and personal causes. The most important are as follows:

(a) Political causes

1. Colonialism;
2. The occupation by force of the lands of another;
3. Expulsion of inhabitants from their lands or their homes;
4. Refusal to permit the return of exiles to their country;
5. Apartheid, racial discrimination or racial segregation;
6. Religious oppression;
7. Tyranny, humiliation and suppression of freedoms;
8. Denial of the rights of peoples to independence or self-determination;
9. The disregard of world public opinion and its world organizations for some of the political or social problems facing a particular people or group of persons and delay in applying or refusal to apply definitive solutions to them;
10. Provocation of factional dissension and class warfare and the sparking off of civil wars in many regions of the world as a preliminary to conquest or partition;
11. The involvement of some States themselves in the commission of, instigation to, assistance to or participation in international terrorist acts in order to get rid of their enemies;
12. Intervention in the internal affairs of other States;
13. The failure of national legislations to punish many kinds of terrorism, the fact that national legislations differ widely as to what constitute punishable crimes and the absence of any obvious unity among national legislations.

(b) Economic causes

1. Extortion of funds;

2. A desire to damage or endanger the material interests of the enemy in the agricultural, industrial, commercial, mining or communication fields;
3. The recession suffered by the current international economic system;
4. Poverty, hunger, distress, disappointment and despair of the disappearance of the economic disparities.

(c) Social or personal causes

1. Escape from the implementation of a specific judgement or the discharge of specific obligations;
2. Love of publicity, propaganda or fame;
3. Disdain for international laws and punishments;
4. Insanity or mental deficiencies;
5. The obtaining of material assistance to benefit individuals or groups living in poverty or hardship.

II. Means of combating international terrorism

10. The means of combating international terrorism are divided into general means aiming at combating all forms of terrorism stemming from any of its causes and motives and special means aiming basically at combating a specific type of international terrorism, such as crimes against aircraft, etc. These two kinds of means may be summarized under the following heads.

(a) General measures for combating international terrorism

11. These aim at eliminating or restricting the causes of international terrorism. The best way to achieve their practical application would be to assemble them in a draft collective international convention drawn up by the United Nations, which should invite all its Member States to negotiate on it. The convention should be then signed by those States which approve it, and the door should be left open to subsequent accessions. The convention should contain basic provisions dealing in particular, with the following:

1. An undertaking by States parties to eliminate colonialism and to engage in close co-operation in this area.
2. An undertaking by States parties to grant subjugated peoples their right to independence and their right to self-determination.
3. An undertaking by signatory States to put an end to all forms of racism and racial discrimination and to co-operate in this field.

4. An undertaking by States parties to co-operate closely in the return of exiles and refugees to their homes.
5. An undertaking by States parties not to intervene in the internal affairs of others or of each other.
6. An undertaking by States parties to refrain from the commission of acts of terrorism and from instigation to, disregard of, participation in, encouragement of or assistance of any form to such acts.
7. An undertaking by States parties to surrender the perpetrators of acts of terrorism and their accomplices to the State competent to bring them to trial, whether the acts were committed for a political or a non-political purpose and to make such surrender a general principle from which no departure is permissible except in clearly specified cases where there are strong justifications.
8. An undertaking by States parties to declare acts of international terrorism crimes under their national legislations, to intensify the punishments for such acts and to strive to unify their legislations on this matter or to make them similar or approximate as far as possible in order to prevent criminals evading punishment.
9. The application of political, economic or military sanctions against States parties which commit acts of terrorism, participate in them, harbour the perpetrators of such crimes, give them the right of political asylum or refuse to bring them to trial or extradite them; such sanctions should be laid down along the lines of those provided in Articles 39 to 51 of the United Nations Charter.
10. Revival of the draft international criminal code and the draft statute for an international criminal court, their revision, focusing in particular on justifying causes and impediments to punishment, their submission in the form of a draft collective international convention to an international conference convened by the United Nations for negotiation on the draft convention, which should be opened for signature following approval of its provisions and stipulation and left open for accession by all States Members of the United Nations.
11. An undertaking by States parties to put an end to the imbalance and injustice of the economic system, in implementation of the resolutions of the United Nations General Assembly, and in particular resolutions 2301 (XXII), 2302 (XXII), 3172 (XXVIII) and 3281 (XXXIX) of 1974, by finding positive and effective solutions to world economic problems, in particular the problems of the developing countries and the problems of agriculture, food, world trade and the world monetary system, and by developing the current economic system on the basis of equality and the general interests of all the countries of the world and introducing appropriate structural changes in the United Nations system in the economic and social fields so as to make this system a more effective instrument in the achievement of international co-operation and the implementation of the international development strategy.

(b) Special measures for combating particular forms of international terrorism

12. These are divided into technical and police measures and legal measures. They differ according to the nature of the crime which it is desired to combat or whose spread it is desired to prevent. In what follows we shall confine ourselves to setting forth the main scientific measures which may be utilized in combating crimes of hijacking aircraft, inasmuch as these are the most widely spread crimes of international terrorism at the present time.

Technical and police measures for combating the crime of hijacking aircraft

13. The State of Qatar believes that the following technical and police measures for combating the crime of hijacking may be utilized:

1. Strengthening control and surveillance at airports;
2. Inspection of passengers and baggage before boarding;
3. Divesting passengers of all their baggage, including hand baggage, and storing it in special locations on the aircraft out of their reach;
4. Use of sophisticated electromagnetic devices for the detection of weapons and metal objects that may be in the possession of passengers;
5. Preventing certain individuals from boarding the aircraft where it is apparent on strong evidence and from their outward appearance or their behaviour that they constitute a probable hazard during flight;
6. Equipping every aircraft with trained armed guards to infiltrate the passengers in all parts of the aircraft, observe their movements and intervene promptly where necessary.

Legal measures to combat the crime of hijacking aircraft

14. The State of Qatar believes that the best legal measure in this connexion is the drafting by the United Nations of a new collective international convention aimed at combating crimes involving the hijacking of aircraft and the destruction of airport ground installations to replace the texts of the following conventions:

(a) The Tokyo Convention on offences and certain other acts committed on board aircraft, signed on 14 September 1963;

(b) The Hague Convention for the suppression of unlawful seizure of aircraft, signed on 16 December 1970;

(c) The Montreal Convention for the suppression of unlawful acts against the safety of civil aviation, signed on 23 September 1971.

15. This new collective convention should guard against the defects and inadequacies which mar the three existing conventions, make good their omissions, correct their errors and elucidate what they have left obscure. The text of the proposed new convention should cover the following basic points:

1. A definition of the aircraft for the hijacking of which a penalty is imposed that is more general and more comprehensive than the definition contained in Annex VIII to the 1944 Chicago Convention on International Civil Aviation, so that it covers all objects flying in the air and outer space, whether regular propeller or jet aircraft, rockets, space ships, space stations, space platforms or other, in order to cover all the developments and inventions that may arise at any time.

2. Designation of hijacking, attempted hijacking and participation in hijacking by agreement, instigation or assistance as crimes and punishment of attempted hijacking and participation in hijacking by the same penalty as that imposed for the full crime, whether or not accompanied by material or moral terror or effected by means of subterfuge, trickery, fraud, bribery or other act, the penalty to be intensified where the crime is accompanied by terror, which must be regarded as an aggravating circumstance.

3. The entrusting of jurisdiction to try persons who have committed a crime of hijacking or attempted hijacking and their accomplices to a group of States, priority of jurisdiction being arranged among them in accordance with a set order regulated in accordance with a definite principle to be agreed on by States parties, each of these States to be accorded jurisdiction in turn, even if the crime occurs outside the boundaries of its territory, as an exception to the principle of territorial sovereignty, so that criminals suspected of hijacking do not escape punishment.

4. A binding obligation on each of the competent States to extradite the accused to the State most entitled to jurisdiction. If it has precedence, it must bring him to trial, and if it waives bringing him to trial, it must extradite him to the State directly following in the order of competence. It may not refuse extradition or extradite him to a State which has no jurisdiction to try him, in order that he does not evade punishment.

5. Prohibition of the State where the aircraft lands from arresting or detaining any one of the passengers or crew on the allegation that he constitutes a threat to its security or that he is a war criminal in relation to it or a fugitive from the execution of criminal, civil or commercial judgements handed down against him by its courts or other judicial bodies; and a binding obligation on it to permit the person concerned to continue his journey.

6. Non-designation as crimes (permissibility) of acts of hijacking committed against military aircraft, police and customs aircraft, reconnaissance aircraft, sprinkler aircraft, aerial photography aircraft, other aircraft used for similar purposes and, in general, all aircraft owned by States parties or the aircraft of their Governments generally.

7. An undertaking by States parties not to use their civilian aircraft to transport weapons and war material and non-designation as crimes of acts of hijacking committed against them if they are used for such purposes.

8. An undertaking by each State to take the necessary measures to give the convention the status of internal law whose application is mandatory in each country once it has been ratified and entered into force; or to incorporate its provisions in their national legislation and enact a law whose provisions correspond to the provisions of the convention and which is binding on its courts, in order to ensure uniformity of national legislations with regard to the crime of hijacking and guarantee that criminals do not escape punishment in any of the State parties or have their punishment reduced in one State from what it would be in another of the States parties.

9. Designation of acts of destruction of airport ground installations necessary to facilitate international air navigation operations, any attempt to commit such crimes and participation in them as crimes; intensification of the punishment for them where such destruction is accompanied by terrorism; punishment of an attempt by the same penalty as that laid down for the completed crime; and punishment of participation by the same penalties as those laid down for the principal offence.

10. Designation of acts of hijacking, participation in such acts and attempts to commit such acts, whether the motives be political or related to racial discrimination, religious fanaticism or religious oppression as crimes. This is because most acts of hijacking derive, in part, from political motives, and if we exclude them from the scope of the convention, its field of application is narrowed and its effectiveness reduced. However, a hijacker should be exempted if he fulfils the conditions of self-defence. These conditions are normally present where the hijacker is a person affected by racial discrimination or religious oppression who has committed his crime in response to a crime committed against him or against his group or to provocative acts carried out against them by a fanatical ruling authority or by an opposing faction.

11. Designation of hijacking, whether the aircraft is in use or in flight or prior to take-off or landing or while the aircraft is at rest on the ground as a crime, in order that the text may cover all forms of hijacking.

12. Non-inclusion of hijacking of aircraft committed against a domestic line of the State of registry, leaving this to be dealt with by the punishment laid down in the national legislation of each State.

13. Designation of hijacking and participation in hijacking as a crime and punishment thereof, whether one or both acts are committed by persons flying in the hijacked aircraft or by persons outside it and whether the persons leaving the aircraft are found on the ground or in another aircraft. This is in order to prevent the criminal escaping from justice.

14. Exemption of the hijacker from punishment in the following cases:

/...

(a) Where the hijacked aircraft belongs to or is leased to colonial occupation authorities or to a company having the nationality of the occupying State;

(b) Where the hijacker is a national of the occupied or colonized country and this country has claimed its right to independence or self-determination and its claim has gone unanswered;

(c) Where the occupying State or its colonial authorities have committed specific acts or taken specific stands for the purpose of preventing the occupied territory's attainment of its right to independence or its right to self-determination;

(d) Where the State of the hijacked aircraft is in a state of war with the State, country or group of the hijacker;

(e) Where the hijacker has the right to control, steer or pilot the aircraft.

15. Non-designation as crimes of acts of hijacking or attempted hijacking committed against aircraft not registered with one of the State parties to the convention so that a State which is not a party to the convention does not benefit from and is not bound by it, which would violate the principle of the relativity of the effect of conventions.

16. In addition to designating as crimes the hijacking of aircraft operating on scheduled or unscheduled international routes, the proposed Convention must provide for the designation as crimes and punishment of the following acts:

(1) Any act of violence occurring on board an aircraft normally earmarked for international flights, whether in flight or during its preparation for flight and whether in use or on the ground, and of a nature to jeopardize its safety or to impede or suspend its passage;

(2) Destruction of an aircraft or the causing of damage to or instrumentality in the causing of damage to an aircraft, whether during the flight or during preparation of the aircraft and whether it is in use or on the ground, in such a way as to render it unfit for flight, jeopardize its safety or impede or interrupt its flight;

(3) The placing of a device or materials in an aircraft, whether during flight, during preparation of the aircraft or when it is on the ground, where this jeopardizes the safety of the aircraft or impedes or interrupts its flight;

(4) The transmission of false information known to the transmitter to be false, where this jeopardizes the safety of the aircraft or impedes or interrupts its passage.

17. An undertaking by all the contracting States to return the aircraft after its landing or reloading to its owners or to the persons entitled to possession of it and to permit the aircraft to take off or travel to its point of origin as quickly as possible, the aircraft being subjected in a state of war to the laws of war relating to war spoils.

18. An undertaking by the State where the aircraft lands to inform the State of registry of the aircraft and the State of nationality of the accused, or of one of them if there are more than one, and the other States having competence to bring the offender to trial of the results of the investigation which it makes and the precautionary measures which it has taken against the accused and its intention of trying him in a criminal court or its reluctance to do so.

19. Consideration of the crime of hijacking as a "international crime", with regard to the States parties to the convention and States members of the United Nations alike and making it obligatory on them all to apprehend the suspected hijacker and his accomplices, whatever their nationality and wherever the place of the commission of the crime, and to bring them to trial, either in accordance with the provisions of general international law which proscribe the crime and punish it where it occurs or in accordance with its national legislation, even though the accused does not have its nationality and even though the place of the commission of the crime is outside the scope of its territorial jurisdiction or is in a region outside the boundaries of the territorial sovereignty of any State, such as the high seas and outer space, in its capacity as the representative of the international community as a whole, which is responsible for the punishment of those crimes and the apprehension, detention and trial of the perpetrators.

20. Consideration of the crime of hijacking as an extraditable crime, even where the motive is political, religious or racial. Where there are a number of States competent to bring the offender to trial, he must be extradited to the State which has priority of jurisdiction. Any State which refuses extradition for any reason must be bound to bring the hijacker to trial before its courts as long as it remains a party to the convention. However, the hijacker should be exempted from punishment or extradition where the conditions of self-defence are fulfilled as mentioned above.

21. An undertaking by all States parties not to accord the right of political asylum to hijackers of aircraft and to extradite them to the State which has jurisdiction to bring them to trial or to the State next in order of jurisdiction where the first State has waived or relinquished trial, with the exception from this provision, however, of hijackers who fulfil the conditions of self-defence.

22. An undertaking by all States parties to the convention to halt all flights to any State which refuses to extradite hijackers or bring them to trial or refuses to return the hijacked aircraft and to close the airspace of all States parties to flights originating in that State or in any other State on board an aircraft belonging to the boycotted State or to a company bearing its nationality, in accordance with the Bonn Declaration issued in July 1978.

SWEDEN

/Original: English/

/4 February 1981/

In reference to paragraph 12 of General Assembly resolution 34/145, the Swedish Government is of the opinion that, at present, there is no need for additional international conventions on international terrorism. It would seem appropriate, before further discussions in this respect take place, to study the effects on acts of terrorism of already existing instruments within this field. Of utmost importance in this context is, obviously, that Member States of the United Nations become parties to these instruments, and that they seriously engage in active endeavours to prevent acts of terrorism.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

/Original: Russian/

/8 April 1981/

1. The position of the Government of the Ukrainian SSR on the question of international terrorism has been explained on a number of occasions at sessions of the United Nations General Assembly and of the Ad Hoc Committee on International Terrorism, of which the Ukrainian SSR is a member.
2. The Ukrainian SSR condemns acts of international terrorism, which interfere with the diplomatic activity of States and their representatives, disrupt transport links between countries, are harmful to the normal development of inter-State relations and contacts and cause the death of innocent people, and it advocates the adoption of effective measures at both the international and the national levels to prevent such acts.
3. As a party to a number of international agreements, and in particular, such agreements as the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft, the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, the Ukrainian SSR advocates that these international treaties should be broadly observed and that the number of parties to them should be increased, so as to create the necessary conditions for preventing acts of international terrorism and contribute to their effective control.
4. Terrorism is totally incompatible with the ideals of socialist society and is alien to the very nature of socialism, the world outlook of Soviet people and the policy of the Soviet State. The Ukrainian SSR has always been and continues to be opposed in principle to the theory and practice of terrorism, including terrorism in international relations. The Ukrainian SSR firmly opposes the identification of the national liberation struggle with terrorism and rejects any attempts directly or indirectly to interpret the concept of international terrorism

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in such a way as to extend it to the national liberation movement of peoples, actions to resist aggressors in occupied territories and movements of the working people to exercise their rights and freedoms and oppose exploitation and other forms of oppression. The United Nations, in its numerous resolutions, unequivocally recognizes the legitimacy of the struggle of peoples for liberation from the colonial yoke, racism, apartheid and foreign domination. This struggle falls within the purview of the 1977 Additional Protocols to the Geneva Conventions relating to the protection of victims of international armed conflicts and cannot be equated with terrorist acts.

5. Taking into account the international nature of acts of terrorism, the Government of the Ukrainian SSR believes that international co-operation is essential for preventing such acts and effectively controlling them. In United Nations bodies and at international conferences, representatives of the Ukrainian SSR participate actively in the formulation and adoption of measures to prevent and suppress any manifestations of international terrorism and to punish persons who commit such criminal actions.

6. At the same time, the effectiveness of international co-operation in this field depends to a considerable extent on the measures taken by States at the national level to combat and prevent international terrorism. Such measures should help eliminate the causes and conditions which give rise to terrorist acts and provide effective means for combating such acts.

7. The United Nations in its resolutions and decisions has identified poverty and lack of opportunity, colonialism, aggression, violation of the political independence, national sovereignty and territorial integrity of States, interference in the internal affairs of States, apartheid and racial discrimination as causes of the emergence of terrorism.

UNION OF SOVIET SOCIALIST REPUBLICS

/Original: Russian/

/17 July 1980/

1. The Soviet Union, as a matter of principle, condemns terrorist acts which disrupt the diplomatic activities of States and transportation links between them and which impair the normal development of international relations and contacts, and it supports the adoption of effective measures to prevent such acts.

2. The representatives of the USSR take an active part in the elaboration and adoption of measures designed to prevent and suppress all manifestations of international terrorism and to punish the persons who commit these criminal acts. They have made a major contribution to the preparation and adoption of a number of international agreements aimed at preventing such manifestations: the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft (ratified by the USSR in 1971), the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (ratified by the USSR in 1972), and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected

Persons, including Diplomatic Agents (ratified by the USSR in 1975). Accession to these agreements by the largest possible number of States would create the necessary international conditions for the prevention of acts of international terrorism and would greatly facilitate the effort to combat them within the framework of organized international co-operation. As a member of the Ad Hoc Committee, the Soviet Union has supported and is prepared to go on supporting constructive efforts to intensify and further develop such co-operation.

3. It should also be pointed out that the effectiveness of international co-operation in combating acts of international terrorism is largely dependent on measures to prevent similar acts committed by States themselves at the national level. It is States, and particularly their legislative bodies, that have absolute responsibility for eliminating the causes and conditions which give rise to manifestations of terrorism and for providing effective means of combating all types of terrorist activities.

4. As everyone is aware, the resolutions of the General Assembly have named misery and frustration as among the causes of international terrorism. The report of the Ad Hoc Committee on International Terrorism 5/ listed among such causes colonialism, aggression, the violation of the political independence, national sovereignty and territorial integrity of States, interference in the internal affairs of other States and racial discrimination.

UNITED STATES OF AMERICA

/Original: English/

/13 March 1981/

1. The steps taken to date by the United Nations are important contributions toward collective action by the international community in dealing with aspects of international terrorism. It is necessary for the United Nations to build upon its achievements. Further action should focus on two primary areas of international concern: the areas not covered by existing conventions should be incorporated into additional conventions which apply to categories of terrorist acts which involves loss of life and serious deprivations of other basic human rights, and the need to devise enforcement measures for those conventions already in force. Any new conventions should concentrate on those acts of international terrorism which are not as yet covered by conventions and the spread of which is inconsistent with the fundamental responsibility of the United Nations to maintain international peace and security. In the areas in which the United Nations has already acted, such as hijacking, aircraft sabotage, protection of diplomats and hostage taking, it is incumbent on the Organization to ensure that these conventions achieve maximum effectiveness as deterrents to terrorist acts. This requires that the conventions

5/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 33 (A/34/33).

be as widely ratified as possible. The United Nations should, moreover, consider enforcement mechanisms pursuant to which the international community will be able collectively to encourage the enforcement of the provisions of the existing conventions.

2. The United Nations should consider the best means for obtaining progress in the ratification of existing conventions, the elaboration of new instruments to deal with acts not yet covered and the development of enforcement measures to strengthen the effectiveness of these conventions. It may be that a single subsidiary organ could deal with all these problems. Alternatively, these tasks could be performed by several such organs.

III. MATERIAL ON NATIONAL LEGISLATION DEALING WITH THE
COMBATING OF INTERNATIONAL TERRORISM

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Original: Russian

1 August 1980

1. In the Byelorussian SSR, no social conditions or causes exist which could give rise to acts of international terrorism.
2. The socialist system affords to our citizens and reliably ensures their full enjoyment of the social, economic, political and personal rights and freedoms proclaimed and guaranteed by Soviet laws. The living standards of Soviet citizens improve and their rights and freedoms are enlarged as social, economic and cultural development programmes are fulfilled.
3. Citizens of other countries and stateless persons are guaranteed by Soviet laws a wide range of rights and freedoms, including the right to apply to a court and other State bodies for the protection of their personal, property, family and other rights.
4. The laws of the Byelorussian SSR establish essential legal norms designed to prevent and suppress acts of international terrorism and to ensure prosecution of those who commit them. Article 63 of the Criminal Code of the Byelorussian SSR defines as a terrorist act the murder of a State or public functionary or representative of authority, or the infliction upon him of grievous bodily harm, committed in connexion with his State or public occupation in order to undermine or weaken Soviet power, and it prescribes severe penalties for those crimes. The murder of a representative of a foreign State or the infliction upon him of grievous bodily harm in order to provoke war or international complications is regarded as a terrorist act against such a representative (article 64 of the Criminal Code of the Byelorussian SSR).
5. Penalties are prescribed for the destruction or damaging, by means of explosion, arson or any other method, of enterprises, structures, communication roads, means of transport, means of communication or other State or public property, mass poisoning or the spreading of epidemics among men or animals in order to weaken the Soviet State (article 65 of the Criminal Code).
6. Organized activity directed at the preparation or commission of especially dangerous crimes against the State or the setting up of an organization having as its object the commission of such crimes is subject to prosecution (article 69 of the Criminal Code).
7. The Criminal Code of the Byelorussian SSR provides for measures for the punishment of banditry, i.e., the organization of armed bands with the intention of attacking State or public institutions or enterprises or private persons, as well as participation in such bands and in the attacks carried out by them

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(article 74 of the Criminal Code) of wilful destruction or damaging of communication roads, installations on them, rolling stock, ships, means of communication or signal equipment (article 83 of the Criminal Code) and of wilful destruction or damaging of State or public property by means of arson or other methods dangerous to the public or in a manner involving loss of life or causing major damage or other serious consequences (article 96 of the Criminal Code).

8. In addition, the laws of the Byelorussian SSR prescribe penalties for persons guilty of failure to report the preparation or commission of certain crimes against the State referred to, inter alia, in the above-mentioned articles 63, 64, 65, 69 and 74 (article 86 of the Criminal Code) or guilty of concealment without prearrangement, in respect of the crimes against the State defined in articles 63, 64, 65, 69 and 74 (article 86, para. 1, of the Criminal Code).

9. Article 208, paragraph 2, of the Criminal Code of the Byelorussian SSR prescribes severe penalties for the hijacking of an aircraft while it is on the ground or in flight and for the hijacking of an aircraft or seizure thereof for the purpose of hijacking where the commission of these offences involves the use of force or threats, causes the aircraft to crash or has other serious consequences. Where acts of this kind result in loss of life or grievous bodily harm, the guilty persons are subject to even more severe penalties.

10. Provision is also made for the prosecution of persons guilty of the conveyance by air of explosive or inflammable substances (article 212, para. 1, of the Criminal Code), of the carrying, storage, acquisition, manufacture or sale of firearms (with the exception of smooth-bore hunting weapons), ammunition or explosives without appropriate authorization or the carrying, manufacture or sale of daggers or other types of knives, swords and similar weapons without appropriate authorization (article 213 of the Criminal Code of the Byelorussian SSR), or of the theft of firearms, ammunition or explosives (article 213, para. 1, of the Criminal Code).

DENMARK

/Original: English/

/5 March 1981/

Provisions from the Penal Code *

Section 8

1. Under Danish criminal jurisdiction shall also come acts committed outside the territory of the Danish State, irrespective of the nationality of perpetrator;

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* Translation into English furnished by the Government of Denmark.

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(5) Where the act falls within the provisions of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; or

(6) Where the act falls within the provisions of the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents; or

(7) Where the act falls within the provisions of the European Convention on Extradition 6/ and where a request for proceedings in this country has been submitted in pursuance of that Convention; or

(8) Where the act falls within the provisions of article 1 of the European Convention on the Suppression of Terrorism.

...

Section 183a

2. Any person who on board an aircraft unlawfully by force, cf. section 260, seizes control of the aircraft interferes with the manoeuvring thereof, shall be liable to imprisonment for a maximum period of 12 years.

GERMAN DEMOCRATIC REPUBLIC

/Original: English/

/3 October 1980/

Provisions from the Penal Code 7/

Terrorist Acts

Article 101

(1) A person who, with the objective to offer resistance to the socialist state and social order of the German Democratic Republic or to cause disturbances, undertakes armed plots, takes hostages, carries out explosions, causes fires, destructions or breakdowns or commits other acts of violence, shall be liable to imprisonment not below three years.

6/ United Nations, Treaty Series, vol. 359, p. 275.

7/ Penal Code of the German Democratic Republic of 12 January 1968 in the amended version of 19 December 1974 (Gesetzblatt I, 1975, No. 3, p. 14), the Second Amendment of 7 April 1977 (Gesetzblatt I, 1977, No. 10, p. 100), and the Third Amendment of 28 June 1979 (Gesetzblatt I, 1979, No. 17, p. 139)(translation into English furnished by the Government of the German Democratic Republic).

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- (2) Preparation and attempt are punishable.
- (3) In particularly serious cases imprisonment for life or the death penalty may be imposed.

Article 102

- (1) A person who, with the objective to cause harm to the socialist state and social order of the German Democratic Republic, commits an attack against the life or health of a citizen of the German Democratic Republic in carrying out or on account of his official or social activities or uses violence against such a person in any other way, shall be liable to imprisonment not below three years.
- (2) Preparation and attempt are punishable.
- (3) In particularly serious cases life imprisonment or the death penalty may be imposed.

Act on the Criminal Responsibility for the Abduction of Aircraft 8/

The People's Chamber, with the purpose of enhancing the safety of national and international air traffic and advancing the protection of the life and health of passengers and crew members, and in accordance with assumed international legal obligations, adopts the following Act:

Article 1

- (1) A person who abducts an aircraft or seizes an aircraft for the purpose of abduction by the use or threat of force or by any other form of intimidation is liable to imprisonment between three and ten years.
- (2) In serious cases, imprisonment of five to ten years may be imposed. A case is considered serious if
 - (i) the abduction or seizure of the aircraft causes grievous bodily harm or, by negligence, the death of a person, or threatens the lives of a group of persons;
 - (ii) the abduction or seizure of an aircraft causes an average or has other serious consequences.
- (3) A person who, within the meaning of article 1, paragraph (2), deliberately causes the death of another person is liable to imprisonment of ten to fifteen years or life imprisonment.
- (4) Preparatory acts and attempts are punishable.

8/ Act of 12 July 1973 (Gesetzblatt I, 1973, No. 33, p. 337) (translation furnished by the Government of the German Democratic Republic).

Article 2

A person who, following a crime in the meaning of article 1, renders the offender or a person who participated in that crime assistance in order to prevent criminal prosecution or to ensure the offender or participant in the crime advantages from the criminal offence is liable to imprisonment of up to five years.

Article 3

A person who encourages another person to commit a crime as defined by article 1 or to participate therein or who offers participation in such a crime without the offence actually being committed is liable to imprisonment of up to five years.

Article 4

A person who, prior to the completion of a crime in the meaning of article 1, receives reliable information on the intention to commit such an offence or on the preparation or execution thereof and does not immediately report this is liable to imprisonment of up to five years. In the case of a criminal offence in the meaning of article 1, paragraph (3), he is liable to imprisonment of two to ten years.

Article 5

The present Act shall enter into force on 1 August 1973.

GREECE

/Original: English/

/2 February 1981/

Greece has adopted three laws (480/1926, 495/1926, 774/1978) on the suppression of terrorism, providing for severe penalties and strict procedures for the immediate punishment of those found guilty of terrorist acts.

QATAR

/Original: Arabic/
/22 April 1981/

Provisions of Qatar legislation relating to the
combating of international terrorism

1. Qatar has no special legislation prescribing and punishing crimes of hijacking or other crimes of international terrorism. Nor did the State of Qatar accede to the Bonn Declaration issued in July 1978 or to the three conventions on the combating of hijacking, namely, the Tokyo Convention of 1963, The Hague Convention of 1970 and the Montreal Convention of 1981, because of the defects and obscurity which marred the provisions of these conventions. However, it fully supported the resolution of the United Nations General Assembly adopted by consensus on 3 November 1977 which calls upon Member States to co-operate for the suppression of crimes of international terrorism.
2. The Qatar Criminal Code, promulgated by Act No. 14 of 1971, contains provisions punishing certain crimes of assault against persons, property or means of communication, and these may be applied in the punishment of certain kinds of international terrorism. However, in order for Qatar courts to have jurisdiction to try such crimes generally, the crimes must occur basically within the land, sea or air territory of the State of Qatar, and the competence of the courts does not extend to acts occurring outside, save in exceptional cases and in accordance with the conditions and rules laid down in Section II (articles 4 to 8) of this Code. Thus, the courts influence in combating international terrorism is restricted and is no substitute for the enactment of national legislation specifically designed to combat this type of crime.
3. We should point out, in particular, that the State is currently engaged in studying the possibility of the enactment of such legislation. We give below a brief general survey of the provisions contained in current legislation.
 - (a) Provisions punishing certain crimes against persons or property
 1. "Any person who deliberately destroys or renders inoperative weapons, vessels, aircraft or communications materials, installations or means, public utilities, stores, supplies, medicaments or other items intended for Qatar's defence purposes shall be punished by life imprisonment" (article 68).
 2. "Any person who deliberately commits the crime of murder shall be punished by execution. If the family of the deceased accepts the blood money and it is duly paid, the death penalty shall be imprisonment not exceeding 14 years" (article 151).
 3. "Any person who is instrumental in the deliberate murder of a person in other than the circumstances set forth in article 150, shall be punished by life imprisonment. If the family of the deceased accepts the blood money and it

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is paid or if the family forgives the criminal, the penalty of life imprisonment shall be replaced by imprisonment for a term not exceeding seven years" (article 152).

4. "Any person who is unintentionally instrumental in the death of another as a result of a blow or wound with a sharp implement or other act not of a nature to lead to death, where the victim dies from the effect of such act, shall be punished by imprisonment for a term not exceeding 10 years. If the family of the deceased accepts the blood money and it is paid or if the family forgives the criminal, the offender shall be punished by imprisonment for a term not exceeding three years or a fine not exceeding 3,000 rials or by both penalties in combination" (article 153).

5. "Any person who assaults another using force or threat of force shall be punished by imprisonment for a term not exceeding three months or by a fine not exceeding 300 rials or by both penalties combined" (articles 166 and 167).

6. "Any person who illegally detains another shall be punished by imprisonment for a term not exceeding one month or by a fine not exceeding 200 rials or by both penalties combined" (articles 178 and 179).

7. "Any person who illegally arrests a person shall be punished by imprisonment for a term not exceeding one year or by a fine not exceeding 1,000 rials or by both penalties combined. When the arrest lasts for three days or longer, the offender shall be punished by imprisonment for a term not exceeding two years or by a fine not exceeding 2,000 rials or by both penalties combined" (articles 180 and 181).

8. "The penalty of imprisonment for a term not exceeding three years or a fine not exceeding 3,000 rials or both penalties combined shall be imposed on any person who illegally arrests another:

(1) In order to extort from him or from a person responsible for the arrested person's affairs any property or legal instrument or to force either of them to perform an illegal act or to give information which may facilitate the commission of a crime, or

(2) In order to extract from him or from any person responsible for the affairs of the confined person any confession or information which may lead to the detection of a crime or blameworthy conduct, or to compel either of them against his will to return property or a legal instrument or to be instrumental in its return, or to meet any demand or to give information which may lead to the restitution of property or a legal instrument" (article 182).

9. "1. Any person who kidnaps another and takes him outside the boundaries of the territory of Qatar or 2. Any person who kidnaps a male under 14 years of age or a female under 16 years of age or a person who is mentally deficient in order to remove that person from the custody of his or her legal guardian without the latter's agreement shall be punished by imprisonment for a term not exceeding seven years" (article 177).

10. "Any person who kidnaps another with the intention of committing a crime not mentioned in the preceding articles shall be punished by imprisonment for a term not exceeding two years or a fine not exceeding 1,000 rials or both penalties combined" (article 191).

11. "Any person who hides another or assists in the hiding of a person knowing that he has been kidnapped shall be punished, according to the circumstances, by the penalty laid down for a kidnapper" (article 192).

12. "Any person who commits the crime of extortion shall be punished by imprisonment for a term not exceeding three years or a fine not exceeding 3,000 rials or both penalties combined" (extortion means, for the purposes of the application of the provisions of this Code, the commission of any act of a nature to arouse fear of impending injury in the mind of a person or in the mind of any other person responsible for his affairs and induce him with evil intention to hand over to the offender or to any other person any property, legal instrument or other signed article which may be transformed into a legal instrument) (articles 221 to 222).

13. "Any person who is instrumental in the destruction of or damage to property or in bringing about a change in it so that its value or usefulness is reduced, intending there by to cause, or with the knowledge that he may cause, unlawful loss or harm to another, commits the crime of destruction".

"Any person who commits the crime of destruction shall be punished by imprisonment for a term not exceeding six months or by a fine not exceeding 600 rials or by both penalties combined" (articles 247 and 248).

(b) Provisions governing in the international criminal jurisdiction of Qatar courts

Articles 4, 6 and 7 of the Qatar Criminal Code provides as follows:

Article 4

Punishment may be imposed in Qatar on the following:

1. Any Qatar or non-Qatar individual who has committed outside Qatar an act which renders him the principal perpetrator or the instigator of one of the crimes which is punishable in Qatar with all or part of such crimes are committed in Qatar (article 4.2);

2. Any Qatar or non-Qatar individual who in Qatar instigates another to commit an act abroad which is regarded as a crime in Qatar and also in the place where it is committed or is intended to be committed (article 4.3);

3. Any Qatar or non-Qatar individual who commits outside Qatar or instigates another to commit a crime directed against the State of Qatar (article 4.4).

Article 6

"Punishment may be imposed in Qatar on any person of Qatar nationality resident in Qatar who commits outside Qatar any of the crimes specified in this Code or instigates another to the commission thereof."

Article 7

"Criminal proceedings shall not be brought for the commission of a crime abroad where it is established that the foreign court has handed down a judgement against the offender and that he has received his punishment, nor may proceedings be instituted against a person acquitted by the foreign court of the charge brought against him."

SWEDEN

/Original: English/
/4 February 1981/

(a) Survey of Swedish Legislation

1. Like most other European countries, Sweden has had the misfortune to experience acts which can be classified as international terrorism. For instance, we have had cases of hijacking, an occupation of an Embassy culminating in murder which attracted very considerable attention, and the murder of a foreign Ambassador. Naturally, these acts attracted much notice and gave rise to exhaustive and far-ranging debates both in the mass media and in Parliament. Although political evaluations chiefly formed the starting-point of these debates, other questions were also raised. Two of the matters discussed were whether rules on a jus necessitatis should be introduced into the Constitution and whether the entry of certain aliens should be restricted so as to prevent acts of terrorism in Sweden.
2. Broadly speaking, it can be said that the general criminal law in Sweden fairly well covers normal terrorist acts. What has as a rule, been in question has been acts that were already regarded as criminal offences and acts for which, according to Swedish regulations, the penalty was very severe. Examples of such acts are murder, manslaughter, kidnapping and sabotage. However, special mention should be made here of the fact that the international trend in the 1960s led to the introduction of a special penalty in the Penal Code for an offence designated as unlawful seizure of aircraft. It was to be regarded as a punishable act if anyone used unlawful coercion on board an aircraft to take over its control or to interfere in its operation. The penalty is imprisonment of, at most, 4 years. If the offence is considered as an aggravated one, the penalty is imprisonment for at least 2 years and, at most, 10 years. In the consideration of whether or not the offence is an aggravated one, special regard is to be paid to such a factor as whether or not the lives of many people were jeopardized.

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3. It should also be noted in this context that the general rules of Sweden's penal law, and the rules on the jurisdiction of Swedish courts in criminal cases, allow legal proceedings in Sweden to take place also for grave offences which have been committed beyond the frontiers of the country. In respect of hijacking of aircraft in particular, legal proceedings arising from that offence can take place in Sweden wherever the offence was committed and whatever the nationality of the offender. Sections of the Swedish Penal Code dealing with the above-mentioned matters are enclosed (see subsection (b) below).
4. Alongside the penal measures against terrorism, rules have been introduced in Sweden's legislation on aliens whose direct aim is that aliens who can be assumed to engage in terrorist activities in Sweden can either be refused leave to enter the country or be removed from it. A special Act to this effect was passed in 1973 as a direct consequence of the hijacking drama that took place in Sweden in September 1972. To begin with, this legislation was temporary, being in force a year at a time, but it has now been made permanent and incorporated into Sweden's Aliens Act. Relevant articles are 30, 32, 47, 52, 73, 84, 87 and 96 respectively (see subsection (c) below).
5. According to this legislation, an alien who comes, or has come to Sweden, shall be expelled or deported if the following circumstances exist. There shall be grounds for assuming that the alien in question belongs to, or is working for, an organization or a group which, according to what is known about their activities, may use violence or coercion for political ends in Sweden. In addition, there shall be a danger that the alien will participate in Sweden in acts of violence for political reasons. It is incumbent upon the National Police Board to make a list of the aliens who shall be expelled according to these provisions, while it is for the Government to decide which organizations or groups may be relevant in this context.
6. If the expulsion or deportation according to the above-mentioned provision is to be enforced, the authorities must, however, ensure that the alien will not be in danger of political persecution in the country to which he shall be deported. If such an impediment to enforcement is found, the Government may instead issue directives with restrictions and conditions for the alien's stay in Sweden.
7. The above relates to the Aliens Act. In addition, there exist, however, provisions in a special and temporary Act which permit the following: an alien who may be expelled or deported pursuant to the above-mentioned rules in the Aliens Act but in whose case these measures may not, or cannot, be enforced, may be made the subject of special investigations even though he is not suspected on concrete grounds of a specific criminal offence. An alien may, accordingly, be subjected to a search of his premises, bodily search or a search of articles of clothing, etc., if this is regarded as being of importance in ascertaining whether a terrorist organization or a terrorist group is planning or preparing a step involving violence, threats or coercion for political ends. The finger-prints of such an alien may be taken and he may be photographed. The decision authorizing this is to be made by the police authority concerned. If there are special reasons, a court may issue an order allowing the tapping of his telephone and permit the inspection and scrutiny of postal and telegraph communications, letters and parcels. However, such an order may only remain in force for a month at the most.

8. The above provisions concerning expulsion and deportation and concerning the supervision of an alien were adopted after an exhaustive public debate during which forceful objections were made against the restrictions on personal privacy involved in the provisions. Now, however, this legislation - in respect of expulsion and deportation - seems to be rather generally accepted. This has been borne out by the fact that the provisions on these matters have been incorporated into the new Swedish Aliens Act without an extensive discussion. On the other hand, the special Act relating to the supervision of an alien has, so far, only been made valid for a year at a time.

9. In practice, Sweden's terrorist legislation, which was passed in 1973, has only been applied in relatively few cases. A total of about 25 aliens have been deported with the aid of this legislation but only in one case has there been an expulsion. The special Act concerned with the supervision of aliens has been applied in no more than three cases.

(b) Provisions from the Penal Code*

Chapter 2

...

10. Section 3. Crimes committed outside Sweden shall also in cases other than those specified in Section 2 be tried according to Swedish law and before a Swedish court of law if:

(1) The crime has been committed on board a Swedish vessel or aircraft or if the crime has been committed by the commander or other member of the crew of such craft while on duty;

(2) The crime has been committed by a member of the armed forces in territory where a military detachment is operating or if the crime has been committed by a person other than a member of the armed forces in such an area and the military detachment was present in the area for purposes other than training;

(3) The crime has been committed against Sweden, a Swedish municipality or other administrative unit, or a Swedish public institution;

(4) The crime has been committed within territory which does not belong to any state and has been perpetrated against a Swedish citizen, a Swedish association or private institution or against an alien domiciled in Sweden;

(5) The crime consists in the hijacking of aircraft, sabotage against aircraft, the breach of international law or attempted hijacking of aircraft or attempted sabotage against aircraft, or if

* English translation furnished by the Government of Sweden.

(6) The lightest sentence laid down in Swedish law for the crime in question is imprisonment for four years or more. /Act 1972 No. 812 and Act 1973 No. 342, both of which entered into force on 1 July 1973./

Chapter 13

...

11. Section 5a. Any person on board an aircraft who uses unlawful force to take possession of the aircraft or to intervene in the piloting of the aircraft shall be sentenced for the hijacking of aircraft to imprisonment for four years at the most.

12. Any person who takes any other action the purpose of which is to endanger the safety of the aircraft during flight or to incapacitate an aircraft in commercial traffic by destroying or damaging it shall be sentenced for sabotage against aircraft to imprisonment for four years at the most.

13. If the crime specified in the first or second paragraph above is regarded as grave, the sentence shall be imprisonment for a certain term, at the least two years at the most ten years, or life imprisonment. When judging whether the crime is grave or not, special consideration shall be given to whether the act has endangered the lives of several people or whether the act has otherwise been of a particularly dangerous nature. /Act 1973 No. 342 which entered into force on 1 July 1973./

...

14. Section 12. Attempt, preparation or conspiracy to commit arson, gross arson, dangerous devastation, sabotage, gross sabotage, the hijacking of aircraft, sabotage against aircraft, the spreading of poison or contagion, or destruction, as well as failure to expose such offences shall be subject to the sanctions laid down in Chapter 23 /Act 1973 No. 342/ (see also section 5a).

(c) Aliens Act 9/

...

Section 30

15. An alien, arriving in Sweden, shall be refused entry if there are good grounds for assuming that he belongs to or is working for an organization or group such as is referred to in subsection 2 and if, in view of what is known concerning his previous activities or otherwise, it is to be feared, that while in this country he will engage in the activities referred to in that subsection.

16. The provisions of subsection 1 refer to an organization or group which it is to be feared, in view of what is known concerning its activities, will resort outside

its home country to violence, menaces or coercion to political ends and thus commit such acts in this country.

17. The National Police Board shall draw up a list of aliens who are to be refused entry pursuant to subsection 1 of this section. The Government shall decide which organizations or groups are to be considered in this connexion.

...

Section 32

18. On the arrival in Sweden of an alien whose name is included in the list referred to in section 30, subsection 3, and who lacks a visa or residence permit, the police authority shall make a refusal of entry order immediately unless the case is to be referred to the Government as provided in section 36.

19. When the question arises within the police authority of the refusal of entry pursuant to section 30 in a case other than referred to in subsection 1, the matter shall be referred to the National Immigration and Naturalization Board. The Board shall then refer the matter to the Government together with its own recommendations. The decision of any such case by the Government shall be preceded by an inquiry.

...

Section 47

20. An alien may be expelled from Sweden if special circumstances prevail as referred to in section 30, subsections 1 and 2.

21. Expulsion orders under subsection 1 are to be issued by the Government. The decision of any such case by the Government shall be preceded by an inquiry. A statement is to be procured from the National Immigration and Naturalization Board, except where this is precluded by the case being particularly urgent.

Temporary Orders by Police Authorities

Section 52

22. If owing to lack of time the decision of the handling authority concerning special coercive measures against an alien or an order by the National Immigration and Naturalization Board under section 51 cannot be awaited, a police authority may temporarily detain the alien or place him under observation as provided in section 50.

23. If a matter concerning refusal of entry pursuant to section 36 is to be referred to the Government, the police authority shall detain the alien. Even if the conditions defined in section 50 do not apply, the police authority may detain an alien or place him under observation when the question of refusal of entry is to be referred to the Government pursuant to section 32, subsection 2, or when the question arises of expulsion under section 47.

/...

24. Notice of an alien having been detained or placed under observation pursuant to subsection 1 or subsection 2 shall be promptly given to the authority handling the matter or, in cases referred to in section 51, to the National Immigration and Naturalization Board. The authority thus notified shall immediately decide whether the temporary decision is to remain in force.

Section 73

25. When the Government has made a refusal of entry order pursuant to section 30 or an expulsion order pursuant to section 47 or section 48 but the execution of the order is impeded as described in sections 77 to 80 or there is some other special reason why the order should not be put into effect, the Government shall ordain that the order is not to be put into effect for the time being. The refusal of entry order or the expulsion order and the order prohibiting execution for the time being shall be reconsidered when there is cause to do so.

Section 84

26. A refusal entry order or an expulsion order shall be put into effect as soon as possible. Execution of refusal of entry and expulsion under section 38 is the responsibility of a police authority. Other expulsion orders are to be put into effect by a country administration. Concerning refusal of entry under section 30 or expulsion under section 47 or section 48, the Government may ordain that execution is to be the responsibility of another authority.

...

Section 87

27. Matters concerning the execution of refusal of entry under section 30 or expulsion under section 47 or 48 shall be referred to the National Immigration and Naturalization Board if circumstances exist which, according to section 85 or 86, occasion the referral to the Board of matters referred to in those sections. The matter shall be referred by the Board to the Government together with its own recommendations. The determination of the matter by the Government shall be preceded by an inquiry.

Section 96

28. The following shall be fined or, in aggravating circumstances, sentenced to imprisonment for up to six months:

(1) a person failing to give such notice as is prescribed in regulations issued pursuant to this Act,

(2) a person who, in such notice or in an application under this Act or under regulations issued pursuant to this Act, knowingly furnishes incorrect information or deliberately omits to mention an important circumstance,

/...

(3) a person abetting the entry of an alien into Sweden contrary to provisions of this Act or of regulations issued pursuant to the same,

(4) an alien who, in respects other than the obligation to hold a passport, a visa, a residence permit or a work permit, offends against the provisions of this Act or regulations issued pursuant to the same, or

(5) an alien attempting to impede the execution of a refusal of entry order or an expulsion order concerning himself.

29. Notwithstanding the provisions of subsection 1, the following shall be imprisoned for up to one year or, in extenuating circumstances, fined:

(1) a person abetting the entry into Sweden of an alien as referred to in section 30, subsections 1 and 2, or

(2) an alien attempting to impede the execution of a refusal of entry order under section 30 or an expulsion order under section 47 or section 48.

30. Attempted offences coming under subsection 1, paragraph 3, or subsection 2, paragraph 1, are punishable as provided in Chapter 23 of the Penal Code.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

/Original: Russian/

/8 April 1981/

1. The legislation of the Ukrainian SSR provides for wide-ranging political, legal and material guarantees which prevent situations that lead to terrorist acts.

2. In accordance with its Constitution, the Ukrainian SSR consistently pursues a Leninist policy of peace aimed at realizing the principles of the peaceful coexistence of States with different social systems and preventing aggressive wars. The Constitution of the Ukrainian SSR not only provides for but guarantees the socio-economic, political and personal rights and freedoms of citizens of the Republic (article 37), including the right to work (article 38), to rest and leisure (article 39), to health protection (article 40), to maintenance in old age (article 41), to housing (article 42), to education (article 43), and others.

3. Citizens of the Ukrainian SSR of different races and nationalities have equal rights ... Any direct or indirect privileges on grounds of race or nationality establishment of direct or indirect privileges on grounds of race or nationality and any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law (article 34). The Constitution of the Ukrainian SSR (article 35) guarantees to citizens of other countries and stateless persons the rights and freedoms provided by law, including the right to apply to a court and other State bodies for the protection of their personal, property, family and other rights.

/...

The Fundamental Law of the Ukrainian SSR grants the right of asylum to foreigners persecuted for defending the interests of the working people and the cause of peace, or for participation in the revolutionary and national-liberation movement, or for progressive social and political, scientific or other creative activity (article 36).

4. The Constitution of the Ukrainian SSR provides (article 4) that all State bodies function on the basis of socialist law, ensure the maintenance of law and order, and safeguard the interests of society and the rights and freedoms of citizens. Article 50 of the Constitution guarantees citizens freedom of conscience, article 52 inviolability of the person, article 53 inviolability of the home, and article 54 the privacy of citizens' correspondence, telephone conversations, and telegraphic communications. Article 55 of the Constitution lays down the right to protection by the courts against encroachments on citizens' honour and reputation, life and health, and personal freedom and property. The Constitution also lays down (article 56) the principle that actions by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in a court in the manner prescribed by law.

5. Article 158 of the Constitution establishes that no one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law.

6. The socialist system guarantees a constant expansion of citizens' rights and freedoms and an uninterrupted improvement of their living standards, as is evidenced by the provisions of the "Fundamental Guidelines for Economic and Social Development in the USSR during the Years 1981-1985 and the Period up to 1990", which were approved by the Twenty-sixth Congress of the Communist Party of the Soviet Union, and also by the decisions of the Twenty-sixth Congresses of the Communist Party of the Soviet Union and of the Communist Party of the Ukraine.

7. The legislation of the Ukrainian SSR includes measures which establish responsibility for actions which can be classified wholly or in part as terroristic.

8. The Criminal Code of the Ukrainian SSR includes a special article 58 10/ on terrorist acts, which classifies as a terrorist act, and prescribes severe punishment for, the murder of a State or public figure or a representative of the authorities in connexion with his State or public functions, or the infliction of grievous bodily harm upon him, with the aim of undermining or weakening Soviet power. The murder of a representative of a foreign State or the infliction of grievous bodily harm upon him with the aim pf provoking war or international complications is also classified as a terrorist act (article 59 of the Criminal Code). 10/

10/ "Gazette of the Supreme Soviet of the Ukrainian SSR", 1961, No. 28, article 342.

9. Acts classified as sabotage, i.e. the destruction or damaging of enterprises, installation, roads and means of transport, communications, equipment or other State or public property by explosions, fire or any other method, the perpetration of mass poisoning or the spreading of epidemics, are also subject to prosecution under the Criminal Code (article 60). 10/

10. In addition, the Criminal Code prescribes severe punishment for organizational activities aimed at the commission of especially dangerous crimes against the State, and the establishment of organizations whose aim it is to commit such crimes (article 64); for gangsterism, i.e. for organizing armed bands with the aim of attacking State and public enterprises or institutions, or individuals (article 69); 10/ for organizing mass disorders accompanied by violence, destruction, arson and other such activities (article 71); for violating international flight regulations (article 76) for violating transport safety regulations (article 77); for the deliberate destruction or damaging of transport links and means of transport (article 78) 10/, etc.

11. Article 217 11/ of the Criminal Code establishes criminal responsibility for stealing an aircraft. The Criminal Code also establishes criminal responsibility for illegal transporting explosive or highly inflammable substances and other dangerous cargoes and objects by air (article 221.1) 12/ and for illegally carrying, storing, obtaining, manufacturing or selling fire-arms or side-arms, ammunition or explosives (article 222). 13/

12. The Ukrainian SSR will continue to strive actively to formulate and adopt measures aimed at preventing and suppressing any manifestation of international terrorism and at punishing those guilty of committing such criminal acts.

UNION OF SOVIET SOCIALIST REPUBLICS

/Original: Russian/

/17 July 1980/

1. Soviet law provides comprehensive political, legal and material guarantees which have eliminated these root causes of terrorism from Soviet society.
2. Article 28 of the constitution of the USSR states that the USSR steadfastly

11/ "Gazette of the Supreme Soviet of the Ukrainian SSR", 1973, No. 32 art. 260.

12/ "Gazette of the Supreme Soviet of the Ukrainian SSR", 1974, No. 14, art. 106

13/ "Gazette of the Supreme Soviet of the Ukrainian SSR", 1974, No. 44, art. 445.

pursues a Leninist policy of peace and stands for strengthening of the security of nations and broad international co-operation. The same article of the Fundamental Law of the Soviet State lists among the basic goals of the foreign policy of the USSR those of supporting the struggle of peoples for national liberation and social progress, preventing wars of aggression, achieving general and complete disarmament and consistently implementing the principle of the peaceful coexistence of States with different social systems.

3. Article 29 of the Constitution proclaims that the USSR's relations with other States are based on observance of the principles of sovereign equality; mutual renunciation of the use or threat of force; inviolability of frontiers; territorial integrity of States; peaceful settlement of disputes; non-intervention in internal affairs; respect for human rights and fundamental freedoms; the equal rights of peoples and their right to decide their own destiny; co-operation among States; and fulfilment in good faith of obligations arising from the generally recognized principles and rules of international law and from the international treaties signed by the USSR.

4. Soviet citizens are free from hunger, poverty and physical and moral privation. The Constitution of the USSR affirms and guarantees their right to work (article 40), rest and leisure (article 41), health protection (article 42), housing (article 44), education (article 45), and maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner (article 43).

5. Under article 39 of the Constitution citizens of the USSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution and by Soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic and cultural development programmes are fulfilled. The same article stresses that enjoyment by citizens of their rights and freedoms must not be to the detriment of the interests of society or the State, or infringe the rights of other citizens. Under article 34 of the Constitution, the equal rights of citizens of the USSR are guaranteed in all fields of economic, political, social and cultural life. Article 35 of the Constitution provides that citizens of the USSR of different races and nationalities have equal rights. The same article stresses that any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law. Pursuant to these constitutional provisions, criminal responsibility is established for propaganda or agitation conducted with the intention of provoking racial or national hostility or dissension, or the limitation - directly or indirectly - of the rights of citizens or the granting of privileges - directly or indirectly - to citizens on account of the race or the nationality they belong to (article 74 of the Criminal Code the RSFSR and the corresponding articles of the criminal codes of the Union Republics).

6. The Constitution provides (article 4) that the Soviet State and all its bodies function on the basis of socialist law, ensure the maintenance of law and order,

and safeguard the rights and freedoms of citizens. Under article 54 of the Constitution citizens of the USSR are guaranteed inviolability of the person. Article 57 of the Constitution lays down the right of citizens of the USSR to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property. The Constitution also establishes (article 58) that action by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in a court in the manner prescribed by law. Citizens of the USSR have the right to compensation for damage resulting from unlawful actions by State and public organizations, or by officials in the performance of their duties.

7. In accordance with article 160 of the Constitution no one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law. Under article 20 of the Fundamental Principles of the Criminal Legislation of the USSR and the Union Republics and article 1 of the Corrective Labour Legislation of the USSR and the Union Republics, the punishment imposed by a court is not only retaliation for the crime committed but also aims at reforming and re-educating the convicted person in the spirit of an honest attitude towards labour, strict observance of the law, and respect for the rules of socialist society. It is, in addition, designed to prevent the commission of other crimes either by the convicted person or by others. Punishment does not aim at the infliction of physical suffering or at the humiliation of human dignity.

8. Under article 37 of the Constitution citizens of other countries and stateless persons in the USSR are guaranteed the rights and freedoms provided by law, including the right to apply to a court and other State bodies for the protection of their personal, property, family and other rights. Citizens of other countries and stateless persons, when in the USSR, are obliged to respect the Constitution of the USSR and observe Soviet laws.

9. The Soviet Union grants the right of asylum to foreigners persecuted for defending the interests of the working people and the cause of peace, or for participation in the revolutionary and national-liberation movement, or for progressive social and political, scientific or other creative activity (article 38 of the Constitution).

10. Soviet legislation provides for special measures to prosecute those who commit acts which may be regarded wholly or partly as terrorist in nature.

11. Article 3 of the Act of 25 December 1958 on Criminal Responsibility for Crimes against the State ^{14/} as well as article 66 of the Criminal Code of the RSFSR and the corresponding articles of the criminal codes of the Union Republics define as a terrorist act the murder of a State or public functionary or representative of authority, or the infliction upon him of grievous bodily harm, committed in connexion with his State or public occupation, in order to undermine or weaken Soviet power, and they prescribe severe penalties for those crimes. The murder of a representative of a foreign State or the infliction upon him of grievous bodily harm in order to provoke war or international complications is

^{14/} Collection of Laws of the USSR and Decrees of the Presidium of the Supreme Soviet of the USSR, Moscow, 1975, vol. 3, pp. 351-359.

regarded as a terrorist act against such a representative (article 4 of the Act on Criminal Responsibility for Crimes against the State and article 67 of the Criminal Code of the RSFSR).

12. Penalties are prescribed for the destruction or damaging, by means of explosion, arson or any other means, of enterprises, structures, communication roads or means of transport, means of communication or other State or public property, mass poisoning or the spreading of epidemics among men or animals in order to weaken the Soviet State (article 68 of the Criminal Code of the RSFSR).

13. Organized activity directed at the preparation or commission of especially dangerous crimes against the State or the setting up of an organization having as its object the commission of such crimes is also subject to prosecution (article 72 of the Criminal Code of the RSFSR).

14. The Criminal Code of the RSFSR provides for measures for the punishment of banditry, i.e. the organization of armed bands with the intention of attacking State or public institutions or enterprises or private persons (article 77), wilful destruction or damaging of communication roads and means of transport (article 86), extortion of State or public property under the threat of violence against the individual managing or protecting such property or against his relatives (article 95) and wilful destruction or damaging of State or public property by means of arson or other methods dangerous to the public or in a manner involving loss of life or causing major damage or other serious consequences (article 98).

15. In order to prevent terrorist acts and punish individuals who commit them, the Supreme Soviet of the USSR has adopted the Decree of 3 January 1973 on Criminal Responsibility for the Hijacking of Aircraft (Official Gazette of the Supreme Soviet of the USSR, 1973, No. 1), the Decree of 19 September 1973 on the Strengthening of Responsibility for the Illegal Conveyance by Air of Explosive or Inflammable Substances and Other Dangerous Cargoes and Articles (Official Gazette of the Supreme Soviet of the USSR, 1973, No. 39), and the Decree of 11 February 1974 on Responsibility for the Illegal Carrying, Storage, Acquisition, Manufacture and Sale of Firearms, Ammunition and Explosives (Official Gazette of the Supreme Soviet of the USSR, 1974, No. 7).

UNITED STATES OF AMERICA

/Original: English/

/13 March 1981/

Summary of applicable law

1. While there are no United States statutes having general application to the broad spectrum of terrorism, there are laws and conventions which proscribe certain specific criminal manifestations of terrorist activity.

/...

2. The United States Criminal Code (Title 18, U.S.C.) includes traditional crimes utilized by terrorists in their efforts to influence governmental policy or action; i.e., murder, kidnapping, assault, arson, etc. Recently, however, the Congress has taken account of particular manifestations of terrorism and enacted or modified laws to deal with this specialized criminal behavior. These laws include:

1. Crimes Against Internationally Protected Persons

3. Public Law 92-539, of 24 October 1972 15/ amended the Criminal Code (Title 18, U.S.C.) by adding crimes directed against foreign officials and official guests of the United States. 16/ These crimes include (1) murder or manslaughter (§1116); (2) conspiracy to murder (§1117); (3) kidnapping (§1201); (4) assaults, including harassment (treated as a misdemeanor) (§112) and (5) injury, damage, or destruction of real or personal property, owned or utilized by a foreign government, international organization, or foreign official or official guest (§970). This law antedated the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents (New York Convention) 17/ adopted by the United Nations General Assembly on 14 December 1973. Public Law 94-467 of 8 October 1976, implementing the New York and OAS 18/ Conventions, further amended those sections of Title 18 which were changed by Public Law 92-539 by adding "internationally protected persons" as a third category of individuals entitled to the special protection of the law. The new law adds Section 878 to Title 18, a new section which provides felony punishment for (a) willfully threatening to kill, kidnap or assault a foreign official, official guest or internationally protected person, and (b) making any extortionate demand in connexion with any violation of §878 (a) or actual violation of §§112, 1116, or 1201. It also confers jurisdiction upon the United States Federal Courts to try alleged offenders present within the United States. The new law also authorizes the Attorney General, in his enforcement of §§1116, 1201, 112(a), or any conspiracy or attempt to commit those sections, to request assistance from "any Federal, State, or local agency, including the Army, Navy, and Air Force", thus providing an exception to the prohibition against use of military forces as posse comitatus (18 U.S.C. 1385).

15/ Reproduced in the United Nations Juridical Yearbook, 1972, p.11.

16/ The Secretary of State has authority to designate citizens or nationals of foreign countries as "Official Guests of the United States" (18 U.S.C. §1116 (b) (6)).

17/ General Assembly resolution 3166 (XXVIII), Annex. Also reproduced in 23 USA 3227; TIAS 7502.

18/ Convention to Prevent and Punish Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance (OAS Convention) adopted by the Organization of American States on 2 February 1971 (TIAS 8413). Also reproduced in document A/C.6/418 and Corr.1 and 2, annex.V.

2. Crimes against aviation

4. The Antihijacking Act of 1974 (Public Law 93-366, August 5, 1974) was enacted in implementation of the Convention for the Suppression of Unlawful Seizure of Aircraft (Hijacking) (The Hague Convention) 19/ adopted at The Hague on 16 December 1970. This law amended the Federal Aviation Act of 1958 (49 U.S.C. 1301 et seq.) to redefine the "special aircraft jurisdiction of the United States" and to modify the offense of aircraft piracy to conform to the requirements of The Hague Convention. It also conferred extraterritorial jurisdiction upon United States Federal Courts to try alleged offenders under this statute and provided for the death penalty when the death of another person results from the commission or attempted commission of the offense.

5. Aside from the criminal provisions of the Act, it gives the President authority to suspend "(1) the right of any air carrier or foreign air carrier to engage in foreign air transportation, and the right of any person to operate in foreign air commerce, to and from (any) foreign nation (which he determines permits the use of its territory as 'a base of operations or training or sanctuary for, or in any way arms, aids, or abets, any terrorist organization which knowingly uses the illegal seizure of aircraft or the threat thereof as an instrument of policy') and (2) the right of any foreign air carrier to engage in aircraft in foreign air commerce, between the United States and any foreign nation which maintains air service between itself and (a nation subjected to the determination referred to in (1) above)." Thus the President has, under specified circumstances, authority to suspend air service rights, both primary and secondary, and the Act makes it unlawful (civil penalty) for any air carrier to operate aircraft in foreign air commerce in violation of that suspension order. It should also be noted that a "notwithstanding clause" relieves the Secretary of Transportation and Civil Aeronautics Board of any statutory obligation to exercise their powers and duties (to grant certificates of public convenience and operation) pursuant to any treaty obligation of the United States and to take into consideration applicable laws of foreign countries.

6. The Act provides for the maintenance of minimum security measures in foreign air transportation and grants to the Secretary of Transportation, subject to the approval of the Secretary of State, authority to "withhold, revoke, or impose conditions on the operating authority of the airlines of (any nation he finds 'does not effectively maintain and administer security measures ... equal to or above the minimum standards established pursuant to the Convention on International Aviation')."

7. Part II of the Act (known as the Air Transportation Security Act of 1974) provides for the establishment of screening procedures and promulgation of rules and regulations for aircraft security.

19/ Reproduced in the United Nations Juridical Yearbook, 1970, p. 131. Also reproduced in 22 UST 1641; TIAS 9172.

8. Part II confers upon the Federal Aviation Administration (FAA) exclusive responsibility for the direction of any law enforcement activity affecting the safety of persons aboard aircraft involved in the commission or attempted commission of aircraft piracy and prohibits, except as otherwise provided by law, the transfer or assignment of those responsibilities. Other Federal departments and agencies are required, upon FAA request, to "provide such assistance as may be necessary to carry out the purposes (of the law enforcement activity)".

9. It should be noted that the United States is a party to the Convention on the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Sabotage) (the Montreal Convention) 20/; however, implementing legislation is needed to enable full discharge of obligations under this Convention. The United States Criminal Code (18 U.S.C. ch. 2) establishes felony offenses involving the destruction of aircraft and aircraft facilities; however, these offenses do not conform completely to the offenses described in the Convention nor is there extraterritorial jurisdiction in Federal Courts to try such offenses.

10. In addition to these laws dealing with specific terrorist acts, Congress has also enacted sanctions against countries which aid or abet terrorists.

11. The "International Security Assistance and Arms Export Control Act of 1976" (Public Law 94-329, 30 June 1976) contains a prohibition of assistance to countries granting sanctuary to international terrorists. Section 303 of the Act (known as the "Wolff Amendment") adds a new section (620A) to the Foreign Assistance Act of 1961, requiring, except where national security dictates otherwise, the President to terminate for one year "all assistance under this Act" to a government which he finds "aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism." Assistance affected by this section includes economic, military (including training), and security supporting assistance, all granted under the Foreign Assistance Act of 1961, as amended. It would not affect foreign military cash or credit sales, disaster relief assistance, international narcotic control assistance, any economic preferences or loans not under the Act, or commercial sales.

12. The 94th Congress adopted Senate Resolution 524 ("Javitz Resolution") which urged the President to (1) direct United States Ambassadors to encourage host governments to suspend air service to countries aiding or abetting terrorism, (2) undertake international negotiations to strengthen and improve aircraft and airport security, and (3) exercise his present authority to suspend aviation rights as conferred under the Antihijacking Act of 1974. Moreover, it urged the President "to conduct a comprehensive review of all United States trade and diplomatic relations to determine that further appropriate actions including specific sanctions may be taken to discourage any further support of international terrorism." The Javits Resolution is advisory in nature - a sense of the

20/ Reproduced in the United Nations Juridical Yearbook, 1971, p. 143. Also reproduced in 24 UTS 564; TIAS 7570.

Congress - and does not have any mandatory effect upon the Executive Branch. It does, however, convey a strong Congressional interest in an effective policy to deal with Governments which encourage and support terrorists.

13. The International Security Assistance Act of 1977 (Public Law 95-92, of 4 August 1977) amended Section 3 of the Arms Export Control Act to require the President, unless he "finds that the national security requires otherwise" to "terminate all sales, credits, and guaranties" under the Act to "any government which aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism." It establishes a one-year "embargo" under the Act from the date of initial Presidential action to terminate such assistance and provides for an additional one-year extension of the "embargo" for any intervening grant of sanctuary by the offending government.

14. Section 509 ("Heinz Amendment") of the Foreign Assistance and Related Appropriation Act of 1978 (Public Law 95-148, of 31 October 1977) provides that:

"None of the funds appropriated or otherwise made available by this Act to the Export-Import Bank and funds appropriated by this Act for direct foreign assistance may be obligated for any government which aids or abets by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism, unless the President of the United States finds that the national security requires otherwise."

15. The 95th Congress passed two bills which are designed to assert United States influence within international financial institutions against loans or other assistance provided by those institutions to any country which (1) provide(s) refuge to individuals committing acts of international terrorism by hijacking aircraft 21/ or (2) permits terrorists to enter its territory, supports, encourages or harbors them or fails to take "appropriate measures to prevent (them) from committing (acts of international terrorism) outside the territory of such country." 22/ Specifically, this legislation requires United States Executive Directors of international financial institutions to oppose loans to countries which give refuge to hijackers, unless the loan serves "basic human needs" (section 701 (a) (2) and (f)) and instructs the United States Executive Director to the International Monetary Fund (IMF) "to work in opposition to any extension of financial or technical assistance" to countries aiding and abetting terrorists (section 6).

16. The 96th Congress also reflected an interest in anti-terrorism legislation. Congresswoman Millicent Fenwick (R-N.J.), by a floor amendment, added an anti-terrorism provision to the Export Administration Act of 1979 (Public Law 96-72, of 29 September 1979). Section 6 (i) ("Fenwick Amendment") requires the Secretary of State to notify Congress before any license is approved for the export of goods or technology valued at more than \$7,000,000 to any country which he has determined to have "repeatedly provided support for acts of

21/ Section 701, Public Law 95-118, 3 October 1977.

22/ Section 6, Public Law 95-435, 10 October 1978.

international terrorism: when such exports would make a significant contribution to its military potential, including its logistical capability, or enhance its ability to support acts of international terrorism. This amendment provides for an informal reporting requirement prior to approval of subjected export licenses. It does not inhibit the granting of licenses, but would afford Congress the opportunity to register its protest concerning such exports. It would likely be a precursor to a general licensing prohibition (subject to a waiver) should Congress become concerned over exports to such countries, notwithstanding its objections. It does reflect strong Congressional interest in exports to countries which support terrorism.

IV. INFORMATION AND OTHER RELEVANT MATERIAL SUBMITTED
BY INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS

A. Material submitted by specialized agencies

INTERNATIONAL LABOUR ORGANISATION

/Original: English/

/2 April 1980/

While the International Labour Organisation, under its constitutional mandate, is not called upon to carry out programmes specifically designed to prevent international terrorism, all of its activities, and more particularly those relating to the defense of human rights, tend towards the establishment of universal peace based on social justice, which in itself is the very antithesis of violence in all its forms.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION

/Original: English/

/19 May 1981/

Introduction

1. In paragraph 10 of its resolution 34/145, the General Assembly recommended, inter alia, that specialized agencies should consider measures to prevent and combat international terrorism within their respective spheres of responsibility. In paragraph 14 (b) of the same resolution, the General Assembly requested the Secretary-General to follow up the implementation of the recommendations of the Ad Hoc Committee on International Terrorism. 23/ Two of those recommendations are relevant to specialized agencies: recommendation No. 7 24/ which is identical with paragraph 10 of resolution 34/145, and recommendation No. 3 25/ according to which, inter alia, relevant United Nations organs are urged "to contribute to the progressive elimination of the causes underlying international terrorism".

2. Therefore, the following information is limited to these two aspects of the implementation of resolution 34/145.

23/ Official Record of the General Assembly, Thirty-fourth Session, Supplement No. 33 (A/34/37).

24/ Ibid., p. 33.

25/ Ibid., p. 32.

I. Contribution to the progressive elimination of the causes underlying international terrorism

3. According to resolution 34/145, the "underlying causes" of terrorism "lie in misery, frustration, grievance and despair" and "cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes". Further considerations concerning the underlying causes of terrorism are included in the report of the Ad Hoc Committee in paragraphs 38 to 44 of its report. Among the factors mentioned were capitalism, neocolonialism, racism, the policy of aggression, foreign occupation, situations of injustice, inequality, subjugation, oppression and exploitation, racial discrimination, interference in international affairs, subversion, various forms of disruption of the independent development of countries and destabilizing their Governments, other forms of discrimination and exploitation, the policy of some imperialist, colonialist and reactionary States, coercion, humiliation and forced emigration, military occupation, mass expulsion of indigenous populations, lack of knowledge of national aspirations of oppressed peoples and apartheid.

4. A number of these problems have been stressed by the General Conference of UNESCO which has given the organization a specific mandate in these areas. In order to provide the most relevant information for the Secretary-General's report, the following paragraphs of the present report concern the measures which have been taken by the Director-General for the strengthening of peace, the promotion of human rights and the struggle against apartheid and racial discrimination pursuant to resolution 10.1 adopted by the General Conference at its twentieth session, held in Paris in 1978. This information covers the period 1979-1980 and was reported to the General Conference at its twenty-first session (Belgrade, 1980) in document 21 C/13. It should be kept in mind that actions with similar aims have been carried out in the past and new ones will be in the future pursuant to subsequent General Conference resolutions.

A. Strengthening of international peace and security

5. The Director-General has devoted particular attention to intensifying UNESCO's contribution to the strengthening of international peace and security, both under the programme concerning the promotion of peace research and the study of international law and of international organizations (objective 2.2), and under the programme aimed at promoting international understanding. The Organization's work to implement the provisions of the Final Act of the Conference on Security and Co-operation in Europe (Helsinki, 1975) in the fields of its competence can also be regarded as falling within this category.

(a) UNESCO's contribution to the strengthening of international peace and security through the promotion of peace research and the study of international law and international organizations

6. The Director-General has encouraged Member States to establish peace research centres, particularly in developing countries, and has intensified the activities

of existing centres. Furthermore, several meetings on peace and disarmament have been held, and many research projects and studies have been carried through to publication.

7. With regard to the development of research centres, it should be mentioned that a regional co-ordination centre for Latin America (Consejo latinoamericano de investigaciones para la paz - CLAIP) has been established in Mexico and various steps have been taken which should encourage the establishment of similar centres in Africa and Asia.

8. So far as meetings, research, studies and publications on peace are concerned, priority has been given to the problem of disarmament, for the purpose of implementation of the Final Document of the Tenth Special Session of the General Assembly.

9. On 3 and 4 June 1980, on the occasion of the visit of Pope John-Paul II, an international consultation was held at Headquarters between eminent personalities, including several Nobel prize winners, to examine the existing dialectic relations between peace, human rights and development. Pursuing these three international goals is an essential task for the elimination of the underlying causes of terrorism.

10. The visit by His Holiness John-Paul II on 2 June 1980 can also be associated with UNESCO's efforts for peace. Peace was the dominant theme of His Holiness's address and of those delivered by the President of the General Conference, the Chairman of the Executive Board and the Director-General. Moreover, this visit was the occasion of the publication of an anthology on peace, entitled Peace on Earth, which was compiled thanks to the John XXIII Prize awarded to the Organization in 1974.

11. Peace studies and research have also paid attention to the quest for non-conflictive ways of dealing with communications concerning alleged violations of human rights. This quest can also contribute to the elimination of the conditions of terrorism. The political, sociological, cultural and legal foundations for consensus were studied at a symposium organized in collaboration with the Norwegian National Commission for UNESCO which was held at Oslo from 31 March to 3 April 1980. The deliberations of this symposium were the subject of a publication entitled Consensus and Peace.

12. The study of the role of international law and of international organizations in the establishment of a peaceful world order has been going forward. The work entitled The concept of the international organization was published in 1980. Several new volumes of the collection "New Challenges to International Law" and two handbooks, one on international humanitarian law and the other on international organizations, are in preparation. Moreover, an international consultation on the co-ordination of research in international law was held at Headquarters on 17 and 18 December 1979.

13. An interdisciplinary work on Violence and its Causes has been published in the collection "Insights". This publication is the outcome of a research project carried out by UNESCO over a number of years which is discussed below in paragraphs 94 to 96.

14. In an effort to encourage peace research, a repertory of peace research institutions has been compiled and up-dated. Reports and Papers in the Social Sciences No. 49 and the first volume of the UNESCO Yearbook of Peace and Conflict Studies 1980 have been published.

15. Through these activities, UNESCO is endeavouring to develop in Member States the contribution of the social sciences to the understanding of the obstacles impeding the establishment of a just, lasting and constructive peace, and to the means of surmounting these obstacles. They are therefore relevant to the progressive elimination of the causes underlying international terrorism.

(b) UNESCO's contribution to the strengthening of international peace and security through the promotion of international understanding

16. UNESCO's programme for the promotion of education concerning human rights, peace and international understanding, contributes to the implementation of the Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, adopted by the General Conference at its eighteenth session in 1974, and to the implementation of the Declaration on the Preparation of Societies for Life in Peace, adopted by the United Nations General Assembly at its thirty-third session (resolution 33/73).

17. Two regional seminars concerned with the implementation of the Recommendation have been organized, one in Helsinki in 1978 and the other in Sofia in 1979. Two more regional seminars are planned: one to be held in the Arab States in 1981, which will devote special attention to the preliminary and in-service training of teachers, and one to be held in Latin America, which will be particularly concerned with school curricula and teaching equipment.

18. A reader on armaments, arms control and disarmament has been compiled for use in universities and will be published in 1981. The preparation of a teacher's handbook has been completed for use in disarmament education in secondary schools.

19. In addition, non-governmental organizations and National Commissions for UNESCO are executing experimental projects on education concerning the problems of the modern world, and particularly on disarmament education. In 1980 non-governmental organizations carried out, under contract, studies on co-operation between the school and other social institutions capable of contributing to disarmament education, and on the role of moral and civic education in promoting international understanding and education for disarmament.

20. A project of multilateral consultations on history textbooks for secondary schools was launched under a contract concluded in 1978 with the Finnish National Commission for UNESCO, with six Member States (Finland, the German Democratic Republic, Italy, Norway, Poland and the USSR) participating. The criteria chosen for the critical examination of the content of history textbooks were formulated by a group of experts and give prominence to education for disarmament.

21. Some of the curricula of schools affiliated to the Associated Schools system give a substantial amount of attention to problems concerning international peace and security and are encouraged to do so by information bulletin addressed to 1,300 primary and secondary schools and teacher-training colleges and the biannual circular International Understanding at School, sent to all Associated Schools.

22. With regard to the mobility of students, teachers and research workers - an important factor in strengthening peace, friendship and mutual understanding between peoples - UNESCO's action has taken the form of preparing international conventions on the recognition of studies, diplomas and degrees in higher education. Thus, to the Regional Conventions relating to Latin America and the Caribbean (1974), the Arab and European States bordering on the Mediterranean (1976) and the Arab States (1978) has been added the Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the European States (Paris, December 1979). Two more Conventions concerning respectively the African States and the States of Asia and Oceania are in preparation.

23. Furthermore, the Director-General has made extensive efforts to stimulate action by the mass media to promote international understanding. In November 1979, for instance, a "Peace Forum" was organized in conjunction with the International Council for Philosophy and Humanistic Studies (ICPHS) at UNESCO headquarters. It was attended by some 60 eminent persons from all parts of the world, including several Nobel prizewinners, former Heads of State, scholars, and men of letters. The press reprinted extensive excerpts from the appeal made by the participants, while the debates gave rise to a publication entitled War or Peace.

(c) Implementation of the provisions of the Final Act of the Conference on Security and Co-operation in Europe (Helsinki, 1975) in the educational, scientific and cultural fields (resolution 10.1, para. 2 (e))

24. In the light of the reference made to the Final Act of the Conference on Security and Co-operation in Europe in paragraph 46 of the report of the Ad Hoc Committee on International Terrorism, 26/ it may be appropriate to recall UNESCO's action in relation to this subject.

25. The Conference on Security and Co-operation in Europe (Helsinki, August 1975) confirmed the conclusions of the Intergovernmental Conference on Cultural Policies which UNESCO organized in Helsinki in 1972. The objectives which the participating States set themselves included the development of reciprocal information to promote better knowledge of each other's cultural achievements. In pursuance of resolution 7/12 adopted at the twentieth session of the General Conference, UNESCO has also lent support to the organization of the meeting of European experts to be

held in Helsinki in December 1980, the purpose of which will be to assess the development of cultural policies since 1972 and the efforts made to apply the recommendations of the Intergovernmental Conference on Cultural Policies in Europe.

26. The participating States decided, inter alia, to undertake a joint study of the possible establishment and structure of a Cultural Data Bank in Europe, which would gather information from the participating countries and supply it to correspondents on request. UNESCO was made responsible for implementing this project. Work was therefore undertaken to that end, and UNESCO convened two meetings of experts. The first was held in Bucharest from 2 to 4 March 1977, with the purpose of compiling an inventory of information-gathering institutions in the field of culture. This enabled documentation to be assembled in 19 countries, and nine case studies were drawn up. The second meeting was organized in Brussels (4-7 July 1978) in conjunction with the Belgian National Commission for UNESCO with the purpose of deciding on fields for action and allocating priorities to them, and of reaching agreement on the techniques to be used. An indicative list was drawn up showing the documents and categories of information to be gathered. A co-ordination group was established comprising eight countries (Belgium, Finland, France, Hungary, Norway, Romania, Spain and the USSR), with Belgium assuming responsibility for co-ordinating the group. At the meeting of the co-ordination group held in Liège (11-12 December 1979), it was agreed to organize working groups corresponding to the kinds of cultural information to be gathered.

27. Joint studies, which are another form of cultural co-operation envisaged by the participating States, were undertaken in pursuance of a recommendation of the Intergovernmental Conference on Cultural Policies in Europe (Helsinki, 1972). A meeting of experts held in Bonn in March 1975, at the invitation of the German Commission for UNESCO, led to the launching of 14 joint studies. In May 1979, UNESCO published a report on the state of progress of the European joint studies and a preliminary assessment of them. This was the first detailed account of the work done by the study groups to which almost 100 experts from 20 European countries had contributed (administrators, research workers, teachers, cultural organizers, etc.). The publication and circulation of the composite reports is a major part of this work, and is undertaken by UNESCO. Seven have thus been or are being published in a special series entitled "Cultural co-operation: studies and experiences".

28. In June 1980, the French National Commission for UNESCO organized in conjunction with UNESCO a meeting of the co-ordinators of the studies carried out, under the first programme, so as to round off the current assessment of those studies and to decide on criteria for a new list of topics which might interest a sufficiently large number of countries. A position paper is being drafted on the basis of the meeting's conclusions and recommendations, taking into account suggestions from European countries which did not attend the meeting. This position paper will be sent to all the European National Commissions and is intended to promote the launching of a second European joint study programme in 1981-1983.

29. In order to stimulate exchange of information on cultural events, assistance has been given to the International Theatre Institute for the publication of the

International Directory of Theatre, Dance and Folklore Festivals, and also to the International Institute for Audio-Visual Communications and Cultural Development (MEDIACULT), for the publication of the calendar of Music Festivals in Europe, including the United States, Canada and Israel. Both publications will be regularly updated by these two institutions.

30. Similarly, machinery for exchange and co-operation, through the network of "Co-operation in Research and Development for Educational Innovation in Southeast Europe" (CODIESEE), was established in 1978 in accordance with the provisions of the Final Act of the Conference on Security and Co-operation in Europe, the recommendations of the seventh Conference of National Commissions for UNESCO of the Europe region, and the resolution on European co-operation adopted at the nineteenth session of UNESCO's General Conference. The UNESCO secretariat has assisted the relevant institutions of six countries in the subregion (Bulgaria, Greece, Hungary, Romania, Turkey and Yugoslavia) to establish programmes of co-operative activities concerning reform of the educational system and the interactions between education and work, and technology and education.

31. It will be recalled that the third Conference of Ministers of Education of the Member States of the Europe Region (Sofia, 12-21 June 1980) discussed current educational problems in the region in the light of the relevant provisions of the Final Act of the Helsinki Conference, and restated its adherence to the principles proclaimed by the Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, which the General Conference adopted at its eighteenth session (1974). The same Conference also adopted a recommendation inviting the Member States of the Europe region to lend support to UNESCO in its activities on behalf of world peace, international understanding and disarmament and to take all possible action to apply the various resolutions and recommendations in these fields.

B. Protection of human rights and fundamental freedoms, including the elimination of massive, systematic or flagrant violations of those rights and freedoms

- (a) Such studies of social and human problems as would make a significant contribution to the promotion and safeguarding of human rights for all

32. The ideas expressed in resolution 34/46, by which the General Assembly reiterated its conviction that all human rights are indivisible and interdependent, and that equal attention should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights are, in the view of UNESCO, relevant to the mandate which the General Assembly gave the Ad Hoc Committee on International Terrorism in resolution 34/145. These ideas are also at the heart of all UNESCO's programme activities concerning human rights. A case in point is the research programme launched following the meeting of experts on human rights, human needs and the establishment of a new international economic order, held in June 1978.

33. Furthermore, by its contribution to the implementation of resolution 4 (XXXIII) of the Human Rights Commission, 27/ UNESCO has persistently promoted the inclusion among human rights of the right to full development, as recognized by the General Conference when it adopted at its twentieth session the Declaration on race and racial prejudice, which refers in article 3 to that right.

34. Another human and social problem relevant to the work of the Ad Hoc Committee and for which UNESCO support has been unremitting is that of migrant workers and their families. In this regard, attention is drawn to the studies made in 1978 and 1979 on the impact of immigration on social structures (Federal Republic of Germany, Belgium, France, the Netherlands and Sweden), and to the studies concerning the impact of returning migrants on the social structures of their homelands (Tunisia and Turkey), which will be the topic of a publication to appear in 1981. In this context, UNESCO and ILO have recently agreed to extend their co-operation and to exchange information relating to the application of ILO Convention No. 143, 28/ concerning migrant workers.

35. In addition, the place of human rights in cultural and religious traditions was examined at the meeting of experts, held in Bangkok from 3 to 7 December 1979 at the headquarters of the UNESCO Regional Office for Education in Asia and Oceania. The meeting was attended by 19 experts, from all parts of the world, representative of nine major religions (Buddhism, Catholicism, Confucianism, Hinduism, Islam, Judaism, Orthodox Christianity, Protestantism and Shintoism), and by 27 observers from non-governmental and intergovernmental international organizations. The final report of the meeting contains suggestions and proposals concerning research and activities to be pursued, and has been passed on to the United Nations.

36. Studies have been undertaken on the experience of Member States in attempting to secure for the greatest number the right "freely to participate in the cultural life of the community" which is enshrined in article 27 of the Universal Declaration of Human Rights. In this context, a survey is also being made among Member States with the purpose of gathering information for an assessment of the application of the "Recommendation concerning participation by the people at large in cultural life and their contribution to it" adopted at the nineteenth session of the General Conference (Nairobi, 1976).

37. With the purpose of contributing both theoretically and practically to the elucidation and application of the principle that human rights may be asserted against all forms of authority, public or private, and may be demanded of them, a series of studies will be undertaken on the role of certain private authorities and, in particular, into the impact of the activities of transnational corporations and of certain non-State groups as factors in the limitation or violation of human rights. Those studies will provide a frame of reference for the consultation of experts which is to meet during the 1981-1983 biennium.

27/ Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6 (E/5927), p. 74.

28/ International Labour Office, Official Bulletin, vol. LVIII, 1975, Series A, No. 1.

38. A symposium was held in Mexico in August 1980 to examine the problems posed by the definition of new human rights. On the basis of the work of the symposium and of studies produced during the 1979-1980 biennium, a collective work on the new human rights (the right to development, the right to peace, the right to a healthy and balanced environment and the right of all to benefit from mankind's common heritage) will be prepared and published in 1981-1982. Bearing in mind the suggestions put forward in 1977, studies have been initiated to elucidate the question of the individual's "right to be different" and to decide whether it should be recognized as a human right. This matter was, in fact, one of those considered at the above-mentioned symposium on the new human rights.

39. On the basis of the studies carried out in 1978 and 1979, a symposium bringing together town planners, sociologists, lawyers, planning officials and the mayors of a number of large cities was held in December 1980 to examine the specific problems involved in implementing human rights in urban areas and to determine whether it is necessary to add to the human rights already recognized the right to a certain quality of life in an urban environment, particularly for the marginalized social groups.

40. Mention may also be made of a series of studies initiated, in co-operation with the United Nations University, to determine what could be the social indicators of the observance and achievement of human rights, apart from those constituted by judicial decisions and political stands.

(b) Examination of the general situation regarding respect for human rights as it stands in UNESCO's fields of competence

41. The elimination of the causes underlying international terrorism requires information on the general situation regarding respect for human rights. The General Conference of UNESCO has given the Director-General a specific mandate in this regard.

42. The Director-General has, in accordance with the task entrusted to him, examined the current situation regarding ratifications by Member States of international instruments on human rights coming within the purview of UNESCO. He has also studied the reports submitted by Member States to the General Conference - in accordance with Article IV, paragraph 6, and Article VIII of the Constitution and with Article 16 of the Rules of Procedure concerning recommendations to Member States, and international conventions - on their part in implementing conventions and recommendations adopted under the auspices of the Organization. A number of these reports, which throw light on the general situation regarding the observance of human rights in UNESCO's fields of competence, are submitted to the twenty-first session of the General Conference. They will be found in the following documents:

Initial special reports submitted by Member States on the action taken by them on the Recommendation for the Protection of Movable Cultural Property (document 21 C/23 and Add.);

Committee on Conventions and Recommendations: reports of Member States on the application of the Convention and Recommendation against Discrimination in Education: report of the Committee on the results of the third consultation of Member States (document 21 C/27).

43. In addition, some of UNESCO's legal instruments provide for a special implementation procedure, the application of which supplies the Director-General with another means of monitoring the general situation regarding human rights. In this connexion, mention may be made of the following documents which were examined by the General Conference:

Comprehensive report of the Director-General on the world situation in the fields covered by the Declaration on Race and Racial Prejudice and recommendations to promote the implementation of the Declaration (document 21 C/78);

Report of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (document 21 C/83).

Report of the Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage (document 21 C/87).

(c) Operation of the new procedure for the examination of complaints concerning the exercise of human rights

44. One of the most active ways UNESCO seeks to reduce violations of human rights within the organization's fields of competence, and thereby contribute to the elimination of one of the underlying causes of international terrorism, is the application of a new procedure for handling complaints in this area. According to Executive Board decision 104 EX/3.3, these complaints (called communications) examined by the Executive Board's Committee on Conventions and Recommendations which meets in private session in order to determine first of all their admissibility and then for communications declared admissible, to seek a friendly solution consistent with respect for human rights.

45. To illustrate the functioning of this procedure at recent sessions of the Committee, it should be pointed out that at the April 1979 session 39 communications were examined as to their admissibility in accordance with decision 104 EX/3.3 15 were declared inadmissible, 6 admissible, 15 suspended and the examination of three was postponed to the next session. Finally, two communications declared admissible at the last session of the Committee were kept on the agenda for examination at the September 1979 session.

46. At its September 1979 session, the Committee, before addressing itself to the items on its agenda, considered the procedural questions that had arisen in relation to the application of decision 104 EX/3.3: decisions were reached, inter alia, concerning communications relating to missing persons, the possibility of derogating from human rights in the case of exceptional public danger threatening the life of a nation, the time-limit for the transmission to the Governments concerned of additional information, etc. During this session, of the 43 communications transmitted to the Committee in accordance with decision 104 EX/3.3, 16 were kept on the agenda, one was deleted, four were carried over to the next session, seven were declared admissible, 14 inadmissible and one was settled. It should be noted that most of the communications declared inadmissible did not involve violations coming within UNESCO's fields of competence and, accordingly, did not fulfil the conditions laid down in decision 104 EX/3.3. The Committee also examined the substance of eight communications: two had been declared admissible at the September 1978 session and six at the April 1979 session. The special procedure for communications concerning missing persons adopted on 10 September 1979 was applied in five of these cases.

47. At its April 1980 session, the Committee examined 55 communications concerning 18 countries. Of the 45 communications examined as to their admissibility, five were declared admissible, 13 inadmissible, 20 were suspended and seven were deleted from the agenda. The substance of the 10 other communications was examined, the special procedure concerning missing persons was applied to six of them, one was postponed and another was deemed settled. In respect of one communication declared admissible, considerable progress was noted as a result of the co-operation of the Government concerned, and the Committee decided that efforts to settle the matter should be pursued. Finally, one communication was the subject of a recommendation to the Executive Board urging the Director-General to make a further appeal for clemency to the Government concerned.

C. Struggle against colonialism, neo-colonialism, aggression, occupation of foreign territories, apartheid and all forms of domination, racialism and racial discrimination

(a) Struggle against colonialism, neo-colonialism, aggression, occupation of foreign territories and all forms of domination

48. UNESCO's contribution to the struggle against colonialism, neo-colonialism, aggression, occupation of foreign territories and all forms of domination is connected primarily with the application of the Declaration on the Granting of Independence to Colonial Countries and Peoples and is of direct relevance to the elimination of the underlying causes of international terrorism.

49. In the various resolutions adopted on this matter, the General Assembly has urged administering Powers to seek or to continue to obtain the assistance of the specialized agencies and other United Nations bodies, with a view to developing and strengthening the economies of those territories. In its fields of competence, and within the limits of available resources, UNESCO has always shown its

willingness to provide the aid requested by the Powers administering the territories concerned. Certain administering Powers have indicated that requests can be made directly to UNESCO by the local authorities of the different territories.

50. For example, under the nation-building programme for Namibia and as a follow-up to the planning seminar held in Lusaka in May 1978, UNESCO with the help of SWAPO and the United Nations Institute for Namibia, is implementing four projects entrusted to it by the United Nations Council for Namibia. These concern the drawing up of plans for a new education system, the training of teachers and other educational personnel, training and infrastructures in the field of communication, and the participation of women in development. The project on the participation of women in development and political life, which began in September 1979, is continuing, chiefly with UNDP finance, in association with the SWAPO Women's Council. The project comprises a series of educational activities such as English-language courses, health-education courses, political-science seminars and study travel to neighbouring countries. In addition, it should be noted that the Organization has devoted several articles in UNESCO features to the question of Namibia (see Nos. 727, 729, 731, 736 and 737).

51. In conformity with resolution 32/40 adopted by the General Assembly, UNESCO periodically provides an up-to-date contribution, in its fields of competence, to the report of the Secretary-General and to the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. For further information on this subject, see paragraphs 84 to 88 below.

52. Concerning the operational aid granted to national liberation movements, reference should be made to paragraphs 81 to 83. In addition, in so far as the struggle against apartheid and all forms of racialism and racial discrimination facilitates the exercise of the right to self-determination and the granting of independence, paragraphs 84 to 124 are generally relevant.

53. On the question of neo-colonialism and, in particular, the problems it raises for the establishment of a new international economic order, reference should be made to the report of the Director-General on UNESCO's contribution to the establishment of a new international economic order (21 C/12).

(b) Struggle against apartheid and all forms of racialism and racial discrimination

54. Among UNESCO's activities to counter racial discrimination, mention should be made of the organization's efforts to put into effect the Convention and Recommendation against Discrimination in Education, the Declaration on Race and Racial Prejudice and the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War.

55. As regards the Convention and Recommendation against Discrimination in Education, UNESCO's work has consisted mainly in continuing the efforts that were begun several years ago. According to periodic reports drawn up by 54 Member States (38 of which are parties to the Convention) at the time of the third consultation on the application of the above-mentioned Convention or Recommendation, and also according to reports from 15 Member States (11 of which are parties to the Convention), submitted at a later date or in response to the Director-General's reminder of February 1979 (see documents 20 C/40 and 21 C/27), it would seem that none of the signatory States has any legislation or regulation implying any form of discrimination as defined in article I of the Convention and section I of the Recommendation. The questionnaire used for the third consultation referred, under the heading "Discrimination", not only to legislation but also to practices and situations likely to give rise to any form of discrimination.

56. Most of the Member States that submitted reports on this subject expressed particular concern over the persistence of inequality of opportunities in education, although some of them mentioned measures taken on behalf of the least privileged regions or population groups. The information provided in these reports shows that the educational goals proposed conform to those set out in the Convention and Recommendation and, furthermore, that the norms laid down by these two legal instruments are reflected in school curricula.

57. With regard to references made in teaching to the activities of the United Nations and its specialized agencies concerning the struggle against apartheid and racial discrimination, some Member States mentioned the associated schools existing in their countries and participating in UNESCO's education programme. The impact on pupils of such teaching is difficult to assess, although several of the reports stated that some of the children are particularly responsive to the ethical aspect of human rights teaching.

58. The Executive Board's Committee on Conventions and Recommendations has studied the above-mentioned reports and also those prepared by the Secretariat on the implementation of resolution 1/1.1/2 adopted by the General Conference at its twentieth session. The Committee's report and the Executive Board's comments on this matter were submitted to the General Conference at its twenty-first session (document 21 C/27).

59. It should be reiterated that the Declaration on Race and Racial Prejudice, unanimously adopted by acclamation by the General Conference on 27 November 1978, does not imply any binding legal obligation, but it does represent a moral commitment. Three articles of the Declaration are particularly worthy of mention: article 1, which states - for the first time at the international level - that all individuals and groups have the right to be different; article 3, which reaffirms the right to development as a consequence of the requirements of a just international order; and article 9, which, for the first time, sets forth the principle that States bear an international responsibility for any form of racial discrimination. In addition, in pursuance of subparagraphs (a), (b) and (c) of paragraph 2 of 20 C/Resolution 3/1.1/3 on the implementation of the Declaration on Race and Racial Prejudice, the Director-General has drawn up a comprehensive report on the world situation in the fields covered by that Declaration (document 21 C/78).

60. With regard to the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War, UNESCO inquired of the National Commissions whether, and to what extent, the Declaration had been translated into the national language or languages. Additionally, a consultation was organized at the headquarters of the organization, from 7 to 9 May 1979, on ways of promoting the teaching of the principles enshrined in that Declaration.

61. It should also be mentioned that the organization has taken part in the sessions of the Committee on the Elimination of Racial Discrimination. It has also assisted with or participated in several meetings on the subject. For example, the World Conference of Youth and Students on the Struggle of the Peoples, Youth and Students of Southern Africa was held at UNESCO headquarters from 19 to 22 February 1979. The Conference was organized in close co-operation with UNESCO by a group of international non-governmental youth organizations on the initiative of the United Nations Special Committee against Apartheid. More than 300 young people from various regions of the world and representing different political persuasions took part. This meeting, organized as one of the events in International Anti-Apartheid Year, enabled the Director-General, speaking on behalf of UNESCO, to condemn the South African régime once again.

62. On the occasion of the International Year of the Child, UNESCO hosted at its headquarters, from 18 to 20 June 1979, a seminar on children under apartheid, organized under the sponsorship of the United Nations Special Committee against Apartheid.

63. The international seminar on "Women and Apartheid", held at Helsinki from 19 to 21 May 1980, was organized in collaboration with the non-governmental organizations' sub-committee on racism, racial discrimination, apartheid and decolonization, the United Nations Special Committee against Apartheid and the secretariat of the World Conference on the United Nations Decade for Women. UNESCO presented a study to the seminar on the theme of apartheid, racism and sexism, together with a report on activities for women of the national liberation movements recognized by OAU. It should be stressed that the seminar requested the specialized agencies of the United Nations system to continue and to intensify their programmes of assistance to the women of those movements.

64. Furthermore, taking account of the need urgently to promote the establishment of a legal framework to protect human rights, in conformity with the principles set forth by the Universal Declaration of Human Rights and more particularly the conclusions reached as a result of the International Anti-Apartheid Year (1978), a meeting of experts was held to discuss the bases and forms of individual and collective action that would make it possible to oppose violations of human rights, particularly apartheid and racism (Freetown, Sierra Leone, 3-7 March 1981).

65. Finally, at the request of the Chairman of the United Nations Special Committee against Apartheid, the Director-General has made necessary conference rooms available to the organizers of the International Conference on Sanctions to be taken against South Africa. The Conference, which will be held in Paris from 20-27 May 1981 was organized jointly by the Special Committee against Apartheid and the Organization of African Unity.

66. The studies and research carried out on this topic have been published in almost all cases. The Declaration on Race and Racial Prejudice, for instance, has been published in the form of a leaflet and contains not only the text of the Declaration, adopted by the General Conference on 27 November 1978, together with the General Conference resolution to implement it, but also the four other Declarations on racial matters drafted in 1950, 1951, 1964 and 1967 by groups of experts set up by UNESCO. The same has been done for the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War. The text of the Declaration, adopted on 22 November 1978 by the General Conference, is prefaced by an explanation of its history and by extensive extracts from the speech made by the Director-General at the closing of the twentieth session of the General Conference, which give a particularly clear picture of the obstacles that had to be overcome before the Declaration could finally be adopted.
67. The book entitled Women and Racial Discrimination in Rhodesia examines the effects of Rhodesia's economic and social structures on the status of women, their role in traditional society and their prospects in the Rhodesia of the future.
68. The proceedings of the Round Table on Apartheid, organized on 21 March 1978 during the International Anti-Apartheid Year, the purpose of which was to identify apartheid, condemn it and suggest means for repressing it and repairing the damage it has caused, have been reproduced in a booklet of about 100 pages.
69. In addition, various studies on the matter have been drafted or are at present in preparation. One of these, entitled Anti-Development: South Africa and its Bantustans, which gives an over-all picture of the phenomenon, is at present in the course of preparation and will be published in 1981.
70. A study on apartheid and peace, undertaken by the International Peace Research Association (IPRA), examines South African military expenditure as compared with that devoted to education for the black, coloured and Indian populations; the role of military ideologies in the education system; the structure of defence research institutes; and the transfer of armaments and military technology to South Africa.
71. A study on the problem of social science research and theory in the Republic of South Africa, carried out by the working group on ethnic minorities of the University of Aston, Birmingham (United Kingdom), a member of the International Sociological Association (ISA), examines the effects of apartheid on the social sciences. Among the topics covered are: the development of apartheid in the South African school system; apartheid as a social system and the place of research in such a system; the effects of the policy of apartheid on social science research and teaching in the Bantu Universities of South Africa; social science research in a divided society - the case of South Africa; the sociologist's field of interest in South Africa; the situation of anthropological research in present-day South Africa; the status of black researchers in the social sciences and the problems they encounter in South Africa; a study of the movements towards better conditions organized by the Blacks of South Africa; and speculative considerations on the cultural and structural aspects of a liberated South Africa.

72. Another study, begun in 1980, concerns the ways in which the apartheid ideology appears in school textbooks intended for white pupils in South Africa. This study, which is being carried out by the Centre of Mass Communication Research of the University of Leicester (United Kingdom), examines the ways in which the different ethnic groups in South Africa are identified; analyses the significance of the roles, status, talents, values and qualities attributed to them, as well as the positive and negative aspects of the stereotypes in question, and includes a summary of the procedures for the granting of social status.

73. Also worthy of note are two current pieces of fundamental research, due to be completed in the spring of 1981. The first consists of an examination of the methods used by South Africa to create and support pressure groups in various countries, and the second takes the form of a comparison between the principles proclaimed by the Universal Declaration of Human Rights and the actual situation in South Africa. Publications are planned in connexion with these two projects; the study on the role of the black press in southern Africa will also be published, and this will have a very wide circulation since from 1981 onwards it will appear in several languages.

74. Mention must also be made of a study entitled Apartheid: Power and Historical Falsification, in which the author exposes the fallacious historical postulates on which the ideology of apartheid is based, and examines and refutes the myths created in order to justify it.

75. Finally, mention should be made of a recently published study entitled Sociological Theories: Race and Colonialism. This book, which contains contributions from several authors, highlights the continuing relevance and the weaknesses of classical sociological theories, and examines the economic, political and social determinants of the emergence in the nineteenth century of relatively structured racist ideologies.

76. In addition, UNESCO periodicals and the mass media have given coverage to events designed to alert public opinion to the struggle against racism, racial discrimination and apartheid. Several weekly three-minute radio programmes have thus been put out in the series "UNESCO News Items" e.g. Human Rights Festival (No. 657); World Youth Conference for the Struggle against Apartheid (No. 670); International anti-Racial Discrimination Day (No. 674); Children under Apartheid (No. 687); and the Director-General's message on the occasion of International anti-Racial Discrimination Day (No. 728). It should also be noted that several instalments of the UNESCO Magazine have been devoted to the struggle against apartheid, e.g. The World Conference of Youth and Students in Southern Africa (No. 73); Racial discrimination (No. 74); Children and apartheid in Southern Africa (No. 77); and Apartheid and vocational training (No. 82). The February 1979 instalment of the UNESCO Magazine, lasting 15 minutes, was called "A visit to the United Nations for Namibia".

77. In this connexion, it should be noted that a number of special programmes have been recorded, such as the series of seven 30-minute programmes including "His windows are painted white", on apartheid (January 1979); "Point of view No. 1", in which Henry Isaacs of the Pan-African Congress throws light on the fate of

children detained in South African prisons (March 1979); and "Coverage of the United Nations-NGO-UNESCO Conference on Women and Apartheid in Helsinki" (five interviews made in May 1980). In addition, a 25-minute, 16 millimetre film in colour entitled "Myriam Makeba Sings", was shot at the performance that marked the opening of the International Anti-Apartheid Year.

78. Finally, the period from 1 January 1979 to 30 April 1980 saw the distribution to Member States of a large quantity of information, including 65,000 posters, 630,000 booklets and leaflets, as well as the Director-General's messages on human rights and racial discrimination.

79. Regarding collaboration with the Committee on the Elimination of Racial Discrimination (CERD), established in conformity with article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, 29/ it should be recalled that this Committee, by its decision 2 (vi) of 21 August 1972, 30/ offered UNESCO and ILO the opportunity of establishing effective co-operation to combat racial discrimination. The aforementioned decision not only settles the problem of the representation of UNESCO and ILO at sessions of the Committee, but also provides that UNESCO and ILO can take part in those sessions by means of written contributions concerning the application of their instruments. Furthermore, CERD is known to attach great importance to article 7 of the Convention under which it was established, to the effect that "States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention". In view of the difficulties it encountered, CERD attempted to determine the extent to which UNESCO could help it in preparing general guidelines that might assist States in implementing the provisions of the Convention. At its nineteenth session, therefore, held at UNESCO headquarters itself from 26 March to 19 April 1979, CERD adopted measures designed to promote co-operation with UNESCO in accordance with article 7 of the Convention. 31/ It should be noted that these measures were drawn up in the light of the recent UNESCO Declaration on Race and Racial Prejudice, adopted by the General Conference on 27 November 1978, and of the debates to which it gave rise. In its decision, CERD suggested to the Director-General of UNESCO that "when requesting information from States members of that organization on the implementation of the aforementioned Declaration, he take fully into account the requirements of the reporting obligations undertaken by States parties to the International Convention on the Elimination of All Forms of Racial

29/ United Nations, Treaty Series, vol. 660, p. 195.

30/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 18 (A/8718).

31/ Ibid., Thirty-fourth Session, Supplement No. 18 (A/34/18).

Discrimination in accordance with article 9 thereof". CERD also invited the Director-General to inform it periodically of the activities undertaken by UNESCO to combat racialism and further invited UNESCO to "transmit to the Committee suggestions for the preparation of general guidelines that might assist the States parties in implementing article 7 of the Convention". There can be no doubt that the implementation of this decision will provide both organizations with an opportunity for close co-operation.

80. In order to combat racism, it is essential that collaboration among the various organs of the United Nations system should not be of a standard-setting nature only. For several years, therefore, in agreement with UNDP, UNESCO has been carrying out operational activities in support of national liberation movements. In addition to the assistance it itself provides, UNESCO acts as an executing agency for projects financed by UNDP in southern Africa. It should also be noted that in recent years, UNESCO has strengthened its co-operation with the United Nations High Commissioner for Refugees by providing educational support services under projects for the resettlement of refugees, mainly in Africa.

(c) Assistance to the national liberation movements recognized by the Organization of African Unity, to the Palestine Liberation Organization and to refugees, in particular from southern Africa

(i) Assistance to national liberation movements recognized by OAU

81. UNESCO assists national liberation movements in the field of education, its aid consisting of paying the emoluments - under the Regular Programme - of teachers at educational establishments set up in Zambia and Angola by liberation movements, covering the cost of educating candidates selected by the liberation movements in the secondary and elementary schools of the receiving countries, and granting fellowships for university studies abroad. UNESCO also provides the necessary equipment and teaching materials for courses whose organization is the responsibility of the liberation movements themselves.

82. A seminar on educational planning and administration and educational building was also held in Dar es Salaam, in early December 1979, for those in charge of education in African national liberation movements and their associates. Representatives of neighbouring African countries were invited to give the benefit of their experience in this field to key members of the liberation movements.

83. In addition, UNESCO is continuing to act as executing agency for UNDP-financed projects to benefit national liberation movements in southern Africa. In this connexion, secondary and university-level training activities for pupils and students from South Africa have been carried out or are under way in the United Republic of Tanzania, Swaziland, Angola and Mozambique.

(ii) Assistance to the Palestine Liberation Organization

84. In this connexion, UNESCO has provided assistance, in its fields of competence for the preparation of the report of the United Nations Secretary-General and for the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

85. In this context, the group of representatives of Arab States at UNESCO including a PLO observer, organized a ceremony at UNESCO House in 1979 to celebrate the International Day of Solidarity with the Palestinian People. The ceremony, during which a representative of the Director-General took the floor, was followed by the opening of an exhibition of paintings by Palestinian children organized by the PLO observer to UNESCO.

86. Assistance by UNESCO to the Palestinian people is being continued both through the United Nations Relief and Works Agency for Palestinian Refugees in the Middle East, with UNESCO supervising and assuming technical responsibility for the programme of education for refugees, and at the request of the Palestine Liberation Organization. In 1979, five study grants were made to Palestinian students under the Regular Programme. In addition, 11 requests for grants, submitted by the Palestine Liberation Organization, were accepted under the Participation Programme for 1979-1980. Furthermore, in co-operation with the Arab Fund for Economic and Social Development and the Palestine Liberation Organization, UNESCO is continuing the feasibility study on the establishment of a Palestinian open university. Lastly, financial assistance was granted to the PLO for the publication, by Editions du Sycomore, of a book on the Palestinian cultural heritage. The representative of the PLO is also invited to all the meetings organized by UNESCO on Arab culture, and is a member of the Advisory Committee of Arab Culture, which has a membership of 20.

(iii) Assistance to refugees

87. UNESCO continues to co-operate closely with the United Nations High Commissioner for Refugees. To give an example, the Director-General sent a representative to the thirtieth session of the Executive Committee of the Programme of the High Commissioner, which was held in Geneva in October 1979. Furthermore, at the request of the High Commissioner, UNESCO sent, in December 1979, a consultant mission to Djibouti to examine the situation of refugees living in camps. In addition, UNESCO detached three members of its permanent staff to co-operate as associate experts with the High Commissioner in the execution of educational projects in Nairobi, Dakar and Geneva. It also took part in Somalia, in December 1979, in an interagency mission organized by the United Nations, in order to identify projects coming within UNESCO's fields of competence.

88. Moreover, UNESCO pursued its co-operation with the United Nations Educational and Training Programme for Southern Africa by granting fellowships to South African refugees. It should also be noted that the organization took part in the commission of enquiry sent by the United Nations Secretary-General to Swaziland in May and December 1979.

II. Measures to prevent and combat international terrorism

89. The first part of this report concerned the progressive elimination of the underlying causes of international terrorism and therefore not the immediate forms of violence which are qualified as international terrorism. This second part, much briefer, concerns UNESCO's activities of relevance to the phenomena of terrorism themselves.

90. The first level at which measures have been taken to prevent and combat international terrorism concerns the security of the UNESCO secretariat, both the staff and the buildings.
91. Extensive preventive measures have been taken progressively to reinforce security, through both modifications to the buildings, entrance areas, and surrounding fences and through new systems of control of all persons and parcels entering the premises. In this regard, it should also be stressed that UNESCO participates actively in interagency co-operation in this field, as well as in security matters concerning crisis management.
92. Security measures at headquarters are further reinforced when the Executive Board or the General Conference meets. The latter held its twenty-first session at the Sava Centar in Belgrade in September-October 1980 where stringent security measures were imposed.
93. Beyond these concrete measures, UNESCO has carried out a multidisciplinary programme of studies on violence over the last 10 years.
94. Following on several expert meetings and publications dealing essentially with the biological and psychological dimensions of human aggressiveness, a transdisciplinary approach was attempted at an expert meeting held in 1975. Subsequently, a book was prepared on Violence and its Causes, the French version of which appeared in 1980 and the English and Spanish versions in 1981. This publication is available to the Ad Hoc Committee on International Terrorism.
95. Although Violence and its Causes does not focus on measures to combat international terrorism, its essays representing the views of philosophers, psychologists, historians, sociologists, peace researchers, economists, criminologists, anthropologists, communications specialists and international lawyers remain relevant to research on such measures.
96. Within the framework of the same project, studies were carried out on governmental reports relating to violence and on the contribution of behavioural sciences to understanding the phenomena of violence. These studies were published in the International Social Science Journal, vol. XXX, No. 4, 1978.
97. While these various studies on violence refer on occasion to international terrorism, they have not led to concrete proposals to measure, to prevent or to combat such phenomena.
98. Another activity which is relevant to the work of the Ad Hoc Committee is the inclusion in UNESCO Yearbook on Peace and Conflict Studies of a new rubric containing data on violence including international terrorism. If this effort proves successful, it may help overcome the difficulties mentioned in paragraph 119 of the report of the Ad Hoc Committee.
99. Finally, UNESCO encouraged and participated in the work of several non-governmental groups who are working on such measures. This is the case of several criminological associations.

Conclusions

100. Without a special mandate from the legislative organs of UNESCO the Director-General has not undertaken or recommended to member States specific measures aimed at the prevention or combating of international terrorism, beyond those concerning the security of the secretariat. Nevertheless, as part I of this report shows UNESCO devotes considerable attention to the underlying causes of international terrorism. The programme in the fields of human rights and peace research could be developed to deal with appropriate aspects of the problem, should a specific mandate be given and funds made available.

UNIVERSAL POSTAL UNION

/Original: French/

/27 February 1980/

1. The postal service is part of the daily life of peoples throughout the world and its smooth functioning is indispensable to all social orders and, above all, to the life of the international community. Every day the Post faces the difficulties of our changing civilization; therefore it must take steps to protect itself as a whole against terrorism and also to protect some of its most endangered or vulnerable services.

2. Accordingly, at the request of the 1969 Tokyo Congress, the Consultative Council for Postal Studies (CCPS), the Union's research body, was requested to make a general study on "Safety of money and valuables held or conveyed by the postal service. Handling - safe custody - conveyance (by vehicle or employee)". The working group established to conduct this study submitted its report, which includes many recommendations on security measures to be taken concerning:

(a) Installations:

Protection of buildings
Locks and keys
Electrical installations
Surveillance of operational premises

(b) Staff and operations:

General security
General instructions for counter service
Access to premises
Means of transport

(c) Organization:

Storage of money and valuables
Dispatch
Conveyance
Reception

3. In addition to this general study, the 1969 Tokyo Congress and the 1974 Lausanne Congress requested CCPS to undertake on a priority basis specific studies on "Security of valuable items conveyed by air" and "Safety of staff involved in handling items presumed to be dangerous". The report of the first study was approved by the 1974 Lausanne Congress, which also adopted a draft recommendation on the subject (Recommendation C 63, annex 1), while the report of the second study approved by CCPS was considered strictly confidential and accordingly was not published in the usual manner, that is to say, in the Collection of Postal Studies. Nevertheless, it was issued on a restricted basis in accordance with the terms laid down by the Union. The Rio de Janeiro Congress adopted a recommendation on the subject (Recommendation C 76, annex 2).

/...

4. In conformity with this Recommendation of the 1979 Rio de Janeiro Congress, we have just informed all postal administrations of States members of the Union of an accident due to the detonation of an item containing an explosive device at a Brussels sorting centre (Belgium), annex 3.
5. The 1974 Lausanne Congress has also requested CCPS to undertake a study on the "possibility of exchanging, through the International Bureau, information about the circumstances in which certain thefts have been committed in the postal services and the deficiencies in the security system discovered during the inquiry". This study, which was the subject of a report published in the Collection of Postal Studies, nevertheless did not lead to the adoption of specific, practical measures.
6. Accordingly, the Universal Postal Union is considering security measures to be taken in order that the Post, wherever it is located, may continue to pursue its activities in order both to meet the needs of the people of each member country and to allow goods and ideas to circulate freely among the peoples of the entire world, as specified in the preamble of its Constitution.

Annex 1

1974 Lausanne Congress

Recommendation C 63

Security of valuable items conveyed by the Post: general security and protection measures at offices of exchange and airports

Congress,

Having noted
the findings of the priority study carried out in accordance with resolution C 55 of the 1969 Tokyo Congress,

Noting
the increasingly frequent use of the postal service for the conveyance of valuable items,

Aware
of the growing number of criminal acts committed against the postal service, which are directed at valuable items and endanger the lives of the personnel responsible for handling them,

Wishing
to offer users of the Post a service guaranteeing maximum security in every respect during the transmission of items of all kinds, but especially of registered and insured airmail items,

Anxious
to give the personnel responsible for handling these items adequate protection against the risk of criminal attacks,

Recommends

postal administrations:

- a to review periodically, in close consultation with their countries' airlines, security arrangements for the conveyance by their services of international registered and insured airmail items; and
- b to apply as far as possible, and as the volume of traffic requires, the security measures listed in annex 1 below covering in particular:
 - i constructional and technical protection measures (air and surface traffic); and
 - ii security measures during the performance of postal operations at offices of exchange and airports.

(Proposal 0009, Committee 3, 4th meeting; Congress - Doc. 138, 17th plenary meeting)

1 Constructional and technical protection measures (air and surface traffic)

1.1 Constructional measures in regard to offices

1.1.1 Armoured premises or strong-room for safekeeping of mails

Appropriate strong-rooms should be provided in large offices of exchange for the safekeeping of mails and bulky insured items. These strong-rooms should be constructed of reinforced concrete and should have no windows or other openings. The doors should be fitted with electronic locking mechanisms. The installation of lock-chambers will protect strong-room opening operations.

1.1.2 Special lockable room reserved for sorting and dispatch of mails

Rooms for sorting and dispatching mails and for processing insured items should be separated from other operational premises and should be lockable. Access to such rooms should only be allowed to a specified number of employees.

1.1.3 Metal doors

- with cylindrical safety locks
- with double-bit lock
- with letters or figures combination lock

Doors should be constructed of metal or wood, depending on the importance of the service premises. The type of lock fitted should be in keeping with the strength of the door. The advantage of a double-bit lock as compared with a cylindrical safety lock is that the closing of the door actuates additional safety bolts which afford better protection against burglary.

1.1.4 Protection of windows by:

- a grille
- laminated safety glass
- bullet-proof armoured glass

Window grilles and the use of laminated safety glass, depending on the circumstances, are recommended if the windows are in particularly exposed positions. Extra protection is obtained by the use of alarm glass.

1.1.5 Other measures

Special importance should be attached to security measures regarding the construction of service buildings and premises. The installation of alarm devices makes for greater security. Surveillance by the Post or by police is desirable provided such personnel have an appropriate alarm call system at their disposal if necessary.

1.2 Special fittings and aids for the protection of valuable items

1.2.1 Safes

Administrations are obliged to provide for the security of valuable items by storing them in safes at offices of exchange. Items in the international service should be protected in the same way as those in the internal service.

1.2.2 Armoured safes

The installation of armoured safes is determined by the degree of security provided by the arrangements made to protect the premises or buildings themselves. Where the traffic in valuable items is heavy, it is preferable to build premises which are sufficiently well protected to make the use of safes unnecessary; this greatly facilitates the execution of postal operations.

1.2.3 Special vehicles for conveying mails in airports

Despite the security guaranteed at airports by the presence of police and customs, the valuable nature of airmail generally warrants specially secure methods of transport, and for this reason postal administrations should as far as possible, encourage the transport of airmails within the airport precincts in special lockable vehicles. Conveyance in lockable vehicles also enables a clear demarcation to be made between airlines' and postal administrations' responsibility.

1.3 Electrical protective installations at offices of exchange

1.3.1 Alarm device in the event of attack

Alarm devices should be installed in service premises handling large volumes of airmail traffic. Alarm contacts should be installed at a number of points. If possible, provision should be made for direct communication with the police in cases of emergency.

1.3.2 Burglar alarm, mains or battery operated

Where alarm devices are used, a combined system against attack and burglary should be installed. Strong-rooms, and safes, whether armoured or not are connected to the burglar alarm and are thus electrically protected against attack. To keep the alarm in readiness for operation, provision should be made for it to be powered by battery in case the electric current is cut off.

1.3.2.1 Elements of the telephone exchange protected from deliberate damage

An alarm can only be effective if it is protected against sabotage; it should therefore be impossible to put it out of action by any means

whatsoever without simultaneously triggering off the alarm. Relative security can be obtained if the triggering device operates by a release mechanism and if the signal cannot thereafter be easily interrupted. In addition, the conductor wires should be buried or sheathed over their whole length.

1.3.2.2 Protection of the object itself by acoustic detector or surface protection

As a rule, it is sufficient to connect the safes directly to the alarm. The ceilings and walls of strong-rooms can be electrically protected (surface protection).

1.3.3 Surveillance of premises by:

- ultrasonic device, radar, light rays
- electrical contacts on doors, windows and ground
- alarm glass

Wherever staff is absent from sorting centres during specific hours, it is advisable to protect premises against burglary by electrical means - either by devices which monitor and protect whole rooms, or by electrical contacts which protect safes directly (protection of the object itself).

1.3.4 Acoustic (sirens) or optical (light signal) alarms

In the event of a break-in or attack, an acoustic or silent alarm, or a combination of both, will be set off depending on local conditions and in close collaboration with the police. The alarm-triggering point should be identified by means of a special light signal in the police premises.

1.3.5 Automatic police call (telephone, radio, etc.)

An alarm device serves a useful purpose only if it is directly connected to the police or some other surveillance service operating continuously day and night.

1.3.6 Closed-circuit television (industrial television)

Television surveillance is justified in big sorting centres when it is simultaneously used for monitoring service operations.

1.3.7 Other measures

Depending on the circumstances, illumination of the building and its immediate vicinity by electric light constitutes an additional security measure.

2 Security measures during the performance of postal operations at offices of exchange and airports

2.1 Dispatch of mails (registered items, insured parcels, insured letters and boxes)

2.1.1 Opening of internal mails

During the opening of internal mails it is necessary to ensure the continued security of items by appropriate means (immediate checking, qualified staff).

2.1.2 Methods of handing over insured items

It is essential that the handing over of insured items for further processing should be receipted at the office of exchange. Wherever possible, such items should be stored in safes and delivered by special vehicle. Care should be taken to see that the various work areas are not too far apart (short transport sectors).

2.1.3 Handing over of items to the Customs, where appropriate, and their return against receipt

Postal administrations must in particular come to an agreement with the customs authorities on arrangements for the handing over and treatment of registered and insured items, so that during customs treatment a degree of security at least equal to that maintained during postal operations is guaranteed.

2.1.4 Entering on forms CP 20 (Air parcel bill) and VD 3 (Dispatch list)

Insured items must be immediately entered on forms CP 20 and VD 3.

2.1.5 Sealing

It is recommended that sealing material be kept under lock and key.

2.1.6 Witness

The presence of a witness during bagging and sealing is essential.

2.1.7 Use of bags in perfect condition and possibly of containers

The condition of the bags used for making up the mails must be checked, if possible by a special service or by the employee responsible for making up the mails.

2.2 Reception of mails from abroad

2.2.1 Custody of items in the safe until conveyed to destination by internal mails

Safekeeping of insured items under lock and key is essential. In addition, such items should be entered on an appropriate delivery document. Corresponding measures should if possible be taken for registered items.

2.3 Delivery of outward mails to the airline or the airport ground staff

2.3.1 Personal handover

Checking of the mails by both parties at the outward post office of exchange and their simultaneous loading into trolleys in the same premises offers the advantage of making a clear demarcation between the postal administration's responsibility and that of the airline, and of speeding up aircraft loading operations.

2.4 Acceptance by the airlines of mails arriving from abroad

2.4.1 Offloading of airmails by ground staff under supervision

It is up to postal administrations to reach agreement with the ground staff with a view to the satisfactory performance of the operations in question, particularly as regards the security measures to be observed.

2.4.2 Acceptance of airmails by postal staff at the office of exchange

Since mails must normally be accepted and checked at the post offices of exchange, the latter should be appropriately equipped as regards both premises and staff. Opening hours will be adapted to the airline timetable so that incoming mails can, as far as possible, be delivered direct to the postal services. Moreover, it will be useful to take the opening hours of exchange offices into account when drawing up the mail dispatch schedule, in agreement with the administration of destination.

2.4.3 Checking of inward mails against the AV 7 delivery bills

Checking against the inward AV 7 delivery bills must be done when the mails are handed over to the postal service, as the latter is obliged to check the condition and sealing of the receptacles. Serious irregularities should be recorded in the presence of a witness.

2.4.4 Placing of transit mails under special guard

Airmails in transit should be subject to the same security measures as mails originating from or addressed to the administration concerned.

2.5 Transshipment of mails from one aircraft to another on the basis of direct AV 7 delivery bills

2.5.1 Special arrangements made by the airline responsible for transshipment

Although direct transshipment is normally carried out by the airline concerned or by the ground service company, postal administrations must ensure, in consultation with these companies, that an adequate degree of security is guaranteed for registered and insured mails transhipped directly. If necessary, the services of the airport police should be called upon.

2.6 Special security measures

2.6.1 Permanent watch on runways by airport police or customs authorities

There should be a close link between the security measures operated by the postal services and those covering the whole territory of a given airport which are provided by the police or customs authorities. It is up to postal administrations to keep a watch on the effectiveness of these measures as a whole in so far as they concern registered and insured mail.

2.6.2 Police escort of registered and insured items between the office of exchange and the aircraft, and vice versa

The assistance of the police may be requested for the transmission of specific registered and insured mails containing valuable items. For a large proportion of airmail, the general supervision carried out by police and customs authorities within the airport precincts may be regarded as sufficient protection. In cases where the post office of exchange is located away from the airport there is a greater need for police assistance or radio control.

Annex 2

1979 Rio de Janeiro Congress

Safety of staff involved in handling items presumed to be dangerous (items containing explosive devices)

Congress,

Having noted
the results of the study carried out in accordance with decision C56 of the
1974 Lausanne Congress on protective measures to be adopted to ensure the safety
of postal personnel involved in handling items presumed to be dangerous,

Aware
of the danger posed by items containing explosive devices to the postal personnel
assigned to handle them,

Anxious
to protect postal personnel as far as possible against the risk of explosion of
dangerous objects,

Recommends

postal administrations:

- (a) as preventive measures:
- (i) to establish permanent liaison with the competent authorities of their countries (police or customs authorities, national security committees, etc.) with a view to:
 - being notified, should the occasion arise, of any threat or evidence that dangerous items may have been mailed;
 - adopting practical measures for examining the items and destroying the dangerous objects;
 - (ii) to issue guidelines for their services based on the information contained in the CCPS study on steps to be taken to detect items containing explosive devices and to protect postal personnel against the dangers of explosion when such items are discovered in the mail;
 - (iii) to see to it that the most appropriate methods are followed in examining items presumed to be dangerous;
 - (iv) where necessary, to have their national legislation amended or amplified in order to authorize operations aimed at detecting items containing explosive devices;

/...

- (v) in conjunction with the competent authorities, to warn users by providing them, subject to established security restrictions, as much information as possible to enable them to take the necessary precautions for their own personal security.
- (b) upon discovery or suspicion of the existence of dangerous items:
 - (i) to give detailed information to the staff concerned on the external appearance of such items and the need to handle them with particular caution;
 - (ii) to inform immediately the International Bureau of UPU and the foreign postal administrations directly threatened, giving as many details as possible, by telex or by telegram.

Instructs

the International Bureau to inform all the postal administrations of the States members of the Union of any cases in which items containing explosive devices have been discovered and to transmit to them any information on the matter that may be of interest to them.

Annex 3

Circular letter addressed to the postal administrations of the
States members of the Union

Berne, 19 February 1980

Subject

Recommendation C 76 of the Rio de Janeiro Congress. Report of the Belgian Postal Administration on offences committed in its services during December 1979 by means of postal items containing explosive devices

Sir,

I have the honour to inform you that, pursuant to resolution C 76 of the Rio de Janeiro Congress, the Belgian Postal Administration has just sent to the International Bureau, for circulation to all postal administrations of the States members of the Union, the report on the explosion of an item containing an explosive device which occurred on 14 December 1979 at a Brussels sorting centre.

I am enclosing a copy of the report in question and request that you inform your services concerned so that they may take the necessary urgent measures.

I would also point out that three annexes of the report containing photographic reproductions of the addresses of the recipients and the explosive device inside the postal item, are not being sent to you for security reasons.

The International Bureau is at the disposal of any administrations wishing to receive further information on the subject. I would remind you in this regard that such information can only be sent on a confidential basis to the official of your Administration who is authorized to receive it and whose name has already been communicated to the International Bureau (cf. circular letter no. 4435-312.1(D)80 of 17 January 1978).

Accept, Sir, etc.

The Director-General

Annex to the above circular letter

Report of the Belgian Postal Administration on offences committed in its services during December 1979 by means of postal items containing explosive devices

1. Chronology of events

1.1 On Friday, 14 December 1979, a package destined for England exploded at a Brussels sorting centre while being handled near the sorting table.

1.2 On Monday, 17 December, two items arriving from Belgium exploded in the British postal service.

1.3 Between 18 and 21 December 1979, seven other packages containing explosive devices were discovered intact: five in England and two at a Brussels sorting centre (Belgium).

2. Characteristics of the detected items

2.1 All the items containing explosive devices:

2.1.1 Were addressed to prominent businessmen or eminent persons of British nationality. According to the English postal officials who collaborated in the investigation with the Belgian Postal Administration, the addresses of the recipients were taken from the British social register published annually in England under the title Who's Who. The addressees, therefore, were usually "Sir X or The Lord X";

2.1.2 Were posted in Brussels on 13 December 1979 between 3 p.m. and 5 p.m. at two post offices located on the premises of a railway station. This could mean that the sender or senders had arrived in Brussels by train.

2.2 The items in question were not packaged in any distinctive or uniform manner. After the explosions mentioned in paragraph 1, only from the addresses of the recipients was it possible to identify the items by origin and destination. It should also be pointed out that the size of the wrapping did not correspond to the size of the explosive device.

For example, one of the items in question measured 22.8 cm by 15.9 cm (9" by 6 1/4"), while the box containing the device and the explosive measured 10.1 cm by 7.6 cm (4" by 3").

3. Description of the explosive device and type of explosive

3.1 The explosive device is contained in a box which varies according to the package and contains:

- a white detonator, connected by means of a lead wire;

/...

- a battery attached to a modified wristwatch.

3.2 The explosive consists of 113.37 grams (4 ounces) of gelignite wrapped in "polythene" and sealed by buff-coloured strips of P.V.C.

4. The way in which the explosive device is presumed to work

The explosion of the detonator by means of the battery is triggered by a microswitch located in the cover of the box and by "the timing switch", which consists of a watch with an electrode in contact with the hour hand (set for 12 o'clock, for example). The watch thus means that there is a safe period of approximately 12 hours in which the item containing the explosive device can be deposited.

5. Special considerations

5.1 According to the British authorities, the terrorist activities which occurred during December usually involved the simultaneous dispatch of 10 or 12 objects.

5.2 In the opinion of bomb disposal experts, the explosion of the package in Brussels was probably an accident and unintended.

This hypothesis seems to be confirmed by the fact that two other packages containing explosive devices were, at the time of the incident (14 December), lying in a basket near the site of the explosion and had already undergone certain handling procedures. It was not until 19 December that the two packages were detected by X-rays by the competent services of the judicial authority when conducting their investigation.

B. Material submitted by regional organizations

COUNCIL OF EUROPE

/Original: English/

/2 April 1981/

1. Both organs of the Council of Europe, the Parliamentary Assembly and the Committee of Ministers, are presently engaged in activities relating to the problems of international terrorism.
2. Following a Conference on "defence of democracy against terrorism in Europe - Tasks and problems", organized by the Parliamentary Assembly in Strasbourg from 12-14 November 1980, the Assembly adopted on 26 March 1981 a Recommendation (addressed to the Committee of Ministers) which relates to such measures as an exchange of views on the prospects of rapid ratification of the European Convention on the Suppression of Terrorism, the promotion of a uniform legal definition of terrorism as an offence at both national and international level, a study of the role of culture and education and of the mass media in preventing and suppressing terrorism, the strengthening of frontier co-operation between neighbouring countries, the use of the Organization's intergovernmental machinery for the purpose of ensuring co-operation between member States, the ratification of the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals and the setting up of a study and documentation centre on the prevention and suppression of terrorism. An advance copy of the Recommendation is appended to this letter. I shall send you "clean" copies in English and French as soon as they are available within the next few days.
3. As regards intergovernmental co-operation, the Committee of Experts to examine the problems raised by certain new forms of concerted acts of violence (PC-AV) recently finalized the text of a draft Recommendation on international co-operation in the prosecution and punishment of acts of terrorism (to be addressed to the Governments of member States). The draft Recommendation aims at improving European co-operation by recommending measures to render existing practices of international judicial co-operation simpler and more expeditious, to improve the exchange of information between competent authorities of the States concerned, and to co-ordinate the prosecution and punishment of terrorist acts of an international character. It gives effect to a Declaration on Terrorism which the Committee of Ministers adopted on 23 November 1978 (see annex 2 below). The draft Recommendation was examined by the European Committee on Crime Problems at its plenary session from 23-27 March 1981, and will be submitted to the Committee of Ministers in May 1981.

ANNEX I

Parliamentary Assembly. Report on the Conference on
"Defence of Democracy against Terrorism in Europe -
Tasks and Problems"
(Strasbourg, 12-14 November 1980)

RECOMMENDATION

The Assembly,

1. Having taken note of the report of its Political Affairs Committee on the Conference on "Defence of Democracy against Terrorism in Europe: Tasks and Problems", held in Strasbourg from 12 to 14 November 1980 (Doc. 4638);
2. Having regard to its Recommendation 852 (1979), on terrorism in Europe;
3. Considering that the General Assembly of the United Nations recommended in its Resolution 34/145 (paragraph 10) of 17 December 1979 to the appropriate specialized agencies and regional organizations that they consider measures to prevent and combat international terrorism within their respective spheres of responsibility and regions;
4. Considering that the Strasbourg Conference was the first occasion on which the problem of protecting democracy against terrorism had been discussed in such a broad framework;
5. Noting that it was generally agreed at the Conference that in Council of Europe member countries the aim of terrorist movements, whatever their names or origins, is to overthrow and destroy democracy and parliamentary institutions, as well as stifle the free political, economic and social development that only a democratic system permits;
6. Noting that the participants in the Conference emphasized that democracy could react against terrorism in member countries with efficiency and coherence only while respecting democratic principles and fundamental rights and freedoms, and strictly applying the constitutional laws in force in member States, as well as the European Convention on Human Rights and the Statute of the Council of Europe, and on the basis of a broad popular consensus, which is essential for ensuring the confidence of citizens in democratic institutions;
7. Noting that the Conference recognized the courageous contribution of press to efforts aimed at isolating and condemning terrorists, and at the same time called upon the mass media to be firm in their refusal to act or to appear to act as the instrument of terrorism;
8. Noting the special attention paid by the Conference to the role of culture and education in the achievement of a consensus regarding the suppression of terrorism, particularly through the outlawing of the various forms of violence in society;

9. Considering that only 10 member States have so far ratified the European Convention on the Suppression of Terrorism, which came into force on 4 August 1978, and that only five of them apply the extradition clauses without reservation;
10. Believing that active and continuous co-operation between the police forces of member countries, especially those with a common frontier, is a prerequisite for the establishment of a genuine European judicial area;
11. Sharing the view expressed by the participants in the Conference that the Council of Europe should make a major contribution to the discussion and solution of problems concerning the protection of democracy against terrorism;
12. Considering that no support, even of a moral nature, can be given to any political organization which advocates violence as a method of solving political, economical and social problems in member countries;
13. Recommends that the Committee of Ministers:
 - a. hold an exchange of views, possibly with the participation of government-appointed experts, on prospects for rapid ratification of the European Convention on the Suppression of Terrorism by all member States of the Council of Europe;
 - b. consider the application and effects of the European Convention on the Suppression of Terrorism in actual cases occurring since its entry into force;
 - c. study the legislative measures that may be regarded as acceptable in a democratic system for dealing with terrorism;
 - d. promote a uniform legal definition of terrorism as an offence at both national and international level, when appropriate in consultation with the Assembly;
 - e. have a study made, in the framework of intergovernmental co-operation of the role of culture and education and of the mass media in preventing and suppressing terrorism, and request the European Youth Centre to pay special attention thereto;
 - f. invite member States to intensify or, if appropriate, establish frontier co-operation between neighbouring countries on the basis of bilateral agreements;
 - g. encourage member States to use the intergovernmental machinery of the Council of Europe for the purpose of ensuring co-operation between the judiciary and policy of member States in the combating of terrorism;
 - h. to create - in response to the wish widely expressed by the Strasbourg Conference and as a contribution to the measures called for by the General Assembly of the United Nations (see paragraph 3 above) - a Study and

Documentation Centre on the prevention and suppression of terrorism, with governmental and parliamentary support and a contribution from non-governmental organizations.

- i. invite the Governments of member States to ratify the European Convention on the Control of the Acquisition and Possession of firearms by the individuals;
- j. expedite the framing of European agreements to harmonize regulations concerning firearms.

ANNEX II

Council of Europe Declaration on Terrorism Adopted
by the Committee of Ministers at its Sixty-third
Session, on 23 November 1978

The Committee of Ministers of the Council of Europe,

1. Mindful of the recent increase in acts of terrorism in certain member States;
2. Considering that the prevention and suppression of such acts are indispensable to the maintenance of the democratic structure of member States;
3. Noting that the European Convention on the Suppression of Terrorism entered into force on 4 August 1978;
4. Considering that this convention represents an important contribution to the fight against terrorism;
5. Convinced that it is necessary further to develop and to strengthen international co-operation in this field;
 - I. Reaffirms the important role of the Council of Europe in the fight against terrorism as an Organization of democratic States founded on the rule of law and committed to the protection of human rights and fundamental freedoms;
 - II. Emphasizes the importance of the work being undertaken in the Council of Europe with a view to intensifying European co-operation in the fight against terrorism;
 - III. Decides that in this work priority should be given to the examination of the following questions:
 - a. means of rendering existing practices of international co-operation between the competent authorities simpler and more expeditious;
 - b. means of improving and speeding up the communication of information to any State concerned relating to the circumstances in which an act of terrorism was committed, the measures taken against its author, the outcome of any judicial proceedings against him and the enforcement of any sentence passed;
 - c. problems arising where acts of terrorism have been committed within the jurisdiction of several States.

ANNEX

State of signatures, ratifications or accessions of international conventions relating to various aspects of the problem of international conventions relating to various aspects of the problem of international terrorism (para. 8 of General Assembly resolution 34/145 of 17 December 1979)

- A. Conventions in respect of which the Secretary-General of the United Nations performs depository functions ^{1/}
1. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 (entered into force on 20 February 1977, in accordance with article 17 (1))

<u>State</u>	<u>Signature</u>	<u>Ratification, accession (a)</u>
Australia	30 December 1974	20 June 1977
Austria		3 August 1977 (a)
Barbados		26 October 1979 (a)
Bulgaria	27 June 1974	18 July 1974
Burundi		17 December 1980 (a)
Byelorussian Soviet Socialist Republic	11 June 1974	5 February 1976
Canada	26 June 1974	4 August 1976
Chile		21 January 1977 (a)
Costa Rica		2 November 1977 (a)
Cyprus		24 December 1975 (a)
Czechoslovakia	11 October 1974	30 June 1975
Denmark	10 May 1974	1 July 1975
Dominican Republic		8 July 1977 (a)
Ecuador	27 August 1974	12 March 1975
El Salvador		8 August 1980 (a)
Finland	10 May 1974	31 October 1978
German Democratic Republic	23 May 1974	30 November 1976
Germany, Federal Republic of	15 August 1974	25 January 1977

^{1/} For the text of reservations, declarations or communications accompanying the signatures, ratifications or accessions to the two conventions below see "Multilateral Treaties in respect of which the Secretary-General performs Depository Functions", document ST/LEG/SER.D/13 (Sales No. E.80.V.10) as well as its subsequent issues.

<u>State</u>	<u>Signature</u>	<u>Ratification, accession (a)</u>
Ghana		25 April 1975 (a)
Guatemala	12 December 1974	
Haiti		25 August 1980 (a)
Hungary	6 November 1974	26 March 1975
Iceland	10 May 1974	2 August 1977
India		11 April 1978 (a)
Iran		12 July 1978 (a)
Iraq		28 February 1978 (a)
Israel		31 July 1980 (a)
Italy	30 December 1974	
Jamaica		21 September 1978 (a)
Liberia		30 September 1975 (a)
Malawi		14 March 1977 (a)
Mexico		22 April 1980 (a)
Mongolia	23 August 1974	8 August 1975
Nicaragua	29 October 1974	10 March 1975
Norway	10 May 1974	28 April 1980
Pakistan		29 March 1976 (a)
Panama		17 June 1980 (a)
Paraguay	25 October 1974	24 November 1975
Peru		25 April 1978 (a)
Philippines		26 November 1976 (a)
Poland	7 June 1974	
Romania	27 December 1974	15 August 1978
Rwanda	15 October 1974	29 November 1977
Seychelles		29 May 1980 (a)
Sweden	10 May 1974	1 July 1975
Togo		30 December 1980 (a)
Trinidad and Tobago		15 June 1979 (a)
Tunisia	15 May 1974	21 January 1977
Turkey		11 June 1981 (a)
Ukrainian Soviet Socialist Republic	18 June 1974	20 January 1976
Union of Soviet Socialist Republics	7 June 1974	15 January 1976
United Kingdom of Great Britain and Northern Ireland	13 December 1974	2 May 1979
United States of America	28 December 1973	26 October 1976
Uruguay		13 June 1978 (a)
Yugoslavia	17 December 1974	29 December 1976
Zaire		25 July 1977 (a)

2. International Convention against the taking of Hostages adopted
 by the General Assembly of the United Nations on 17 December 1979
 (not yet in force)

<u>State</u>	<u>Signature</u>	<u>Ratification, accession (a)</u>
Austria	3 October 1980	
Bahamas		4 June 1981 (a)
Barbados		9 March 1981 (a)
Belgium	3 January 1980	
Bolivia	25 March 1980	
Canada	18 February 1980	
Chile	3 January 1980	
Dominican Republic	12 August 1980	
Egypt	18 December 1980	
El Salvador	10 June 1980	12 February 1981
Finland	29 October 1980	
Gabon	29 February 1980	
Germany, Federal Republic of	18 December 1979	15 December 1980
Greece	18 March 1980	
Guatemala	30 April 1980	
Haiti	21 April 1980	
Honduras	11 June 1980	1 June 1981
Iceland		6 July 1981 (a)
Iraq	14 October 1980	
Israel	19 November 1980	
Italy	18 April 1980	
Jamaica	27 February 1980	
Japan	22 December 1980	
Lesotho	17 April 1980	5 November 1980
Liberia	30 January 1980	
Luxembourg	18 December 1979	
Mauritius	18 June 1980	17 October 1980
Netherlands	18 December 1980	
New Zealand	24 December 1980	
Norway	18 December 1980	2 July 1981
Panama	24 January 1980	
Philippines	2 May 1980	14 October 1980
Portugal	16 June 1980	
Senegal	2 June 1980	
Suriname	30 July 1980	
Sweden	25 February 1980	15 January 1981
Switzerland	18 July 1980	
Togo	8 July 1980	
Trinidad and Tobago		1 April 1981 (a)
Uganda	10 November 1980	

<u>State</u>	<u>Signature</u>	<u>Ratification, accession (a)</u>
United Kingdom of Great Britain and Northern Ireland	18 December 1979	
United States of America	21 December 1979	
Yugoslavia	29 December 1980	
Zaire	2 July 1980	

B. Conventions in respect of which the International Civil Aviation Organization or some Member States perform depository functions 1/

1. Convention on Offences and Certain Acts committed on Board Aircraft, signed at Tokyo on 14 September 1963 (entered into force on 4 December 1969, in accordance with article 21, para. 1)

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instruments of ratification or accession</u>	<u>Effective date</u>
Afghanistan		15 April 1977	14 July 1977
Argentina		23 July 1971	21 October 1971
Australia		22 June 1970	20 September 1970
Austria		7 February 1974	8 May 1974
Bahamas			10 July 1973 (1)
Bangladesh		25 July 1978	23 October 1978
Barbados	25 June 1969	4 April 1972	3 July 1972
Belgium	20 December 1968	6 August 1970	4 November 1970
Bolivia		5 July 1979	3 October 1979
Botswana		16 January 1979	16 April 1979
Brazil	28 February 1969	14 January 1970	14 April 1970
Burundi		14 July 1971	12 October 1971
Canada	4 November 1964	7 November 1969	5 February 1970
Chad		30 June 1970	28 September 1970
Chile		24 January 1974	24 April 1974
China		14 November 1978	12 February 1979 (2) (3)
Colombia	8 November 1968	6 July 1973	4 October 1973
Congo	14 September 1963	13 November 1978	11 February 1979
Costa Rica		24 October 1972	22 January 1973
Cyprus		31 May 1972	29 August 1972
Denmark	21 November 1966	17 January 1967	4 December 1969
Dominican Republic		3 December 1970	3 March 1971
Ecuador	8 July 1969	3 December 1969	3 March 1970
Egypt		12 February 1975 (2)	13 May 1975

1/ The information concerning these conventions is reproduced below as furnished on 5 August 1981 by the Secretariat of the International Civil Aviation Organization which indicated that the lists of signatures, ratifications or accessions concerning The Hague Convention of 1970 and the Montreal Convention of 1971 might not be accurate and up to date since ICAO is not the depository of those two Conventions and its information was based on that received from the Governments of the United Kingdom of Great Britain and Northern Ireland, the United States of America and the Union of Soviet Socialist Republics.

Date of deposit
 of instruments of
 ratification or
 accession

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instruments of ratification or accession</u>	<u>Effective date</u>
El Salvador		13 February 1980	13 May 1980
Ethiopia		27 March 1979 (2)	25 June 1979
Fiji			10 October 1970 (4)
Finland	24 October 1969	2 April 1971	1 July 1971
France	11 July 1969	11 September 1970	10 December 1970
Gabon		14 January 1970	14 April 1970
Gambia		4 January 1979	4 April 1979
Germany, Federal Republic of	14 September 1963	16 December 1969	16 March 1970
Ghana		2 January 1974	2 April 1974
Greece	21 October 1969	31 May 1971	29 August 1971
Grenada		28 August 1978	26 November 1978
Guatemala	14 September 1963	17 November 1970 (2)	15 February 1971
Guyana		20 December 1972	19 March 1973
Holy See	14 September 1963		
Hungary		3 December 1970 (2)	3 March 1971
Iceland		16 March 1970	14 June 1970
India		22 July 1975 (2)	20 October 1975
Indonesia	14 September 1963	7 September 1976 (2)	6 December 1976
Iran		28 June 1976	29 September 1976
Iraq		15 May 1974 (5)	13 August 1974
Ireland	20 October 1964	14 November 1975	12 February 1976
Israel	1 November 1968	19 September 1969	18 December 1969
Italy	14 September 1963	18 October 1968	4 December 1969
Ivory Coast		3 June 1970	1 September 1970
Japan	14 September 1963	26 May 1970	24 August 1970
Jordan		3 May 1973	1 August 1973
Kenya		22 June 1970	20 September 1970
Kuwait		27 November 1979 (6)	25 February 1980
Lao People's Democratic Republic		23 October 1972	21 January 1973
Lebanon		11 June 1974	9 September 1974
Lesotho		28 April 1972	27 July 1972
Liberia	14 September 1963		
Libyan Arab Jamahiriya		21 June 1972	19 September 1972
Luxembourg		21 September 1972	20 December 1972
Madagascar	2 December 1969	2 December 1969	2 March 1970
Malawi		28 December 1972	28 March 1973
Mali		31 May 1971	29 August 1971
Mauritania		30 June 1977	28 September 1977
Mexico	24 December 1968	18 March 1969	4 December 1969

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instruments of ratification or accession</u>	<u>Effective date</u>
Morocco		21 October 1975 (7)	19 January 1976
Nepal		15 January 1979	15 April 1979
Netherlands	9 June 1967	14 November 1969 (8)	12 February 1970
New Zealand		12 February 1974	13 May 1974
Nicaragua		24 August 1973	22 November 1973
Niger	14 April 1969	27 June 1969	4 December 1969
Nigeria	29 June 1965	7 April 1970	6 July 1970
Norway	19 April 1966	17 January 1967	4 December 1969
Oman		9 February 1979 (2-9)	10 May 1977
Pakistan	6 August 1965	11 September 1973	10 December 1973
Panama	14 September 1963	16 November 1970	14 February 1971
Papua New Guinea			16 September 1975 (2-10)
Paraguay		9 August 1971	7 November 1971
Peru		12 May 1978 (2)	10 August 1978
Philippines	14 September 1963	26 November 1965	4 December 1969
Poland		19 March 1971 (2)	17 June 1971
Portugal Republic of Korea	11 March 1964	25 November 1964	4 December 1969
Romania	8 December 1965	19 February 1971	20 May 1971
Rwanda		16 February 1974 (2)	16 May 1974
Saudi Arabia	6 April 1967	17 May 1971	15 August 1971
Senegal	20 February 1964	21 November 1969	19 February 1970
Seychelles		9 March 1972	7 June 1972
Sierra Leone		4 January 1979	4 April 1979
Singapore		9 November 1970	7 February 1971
South Africa		1 March 1971	30 May 1971
Spain	27 July 1964	26 May 1972 (2)	24 August 1972
Sri Lanka		1 October 1969	30 December 1969
Suriname		30 May 1978	28 August 1978
Sweden	14 September 1963		25 November 1975 (11)
Switzerland	31 October 1969	17 January 1967	4 December 1969
Syrian Arab Republic		21 December 1970	21 March 1971
Thailand		31 July 1980 (2)	29 October 1980
Togo		6 March 1972	4 June 1972
Trinidad and Tobago		26 July 1971	24 October 1971
Tunisia		9 February 1972	9 May 1972
Turkey		25 February 1975 (2)	26 May 1975
United Arab Emirates		17 December 1975	16 March 1976
		16 April 1981	15 July 1981 (13)

United Kingdom of Great Britain and Northern Ireland	14 September 1963	29 November 1968 (12)	4 December 1969
United States of America	14 September 1963	5 September 1969	4 December 1969
Upper Volta	14 September 1963	6 June 1969	4 December 1969
Uruguay		26 January 1977	26 April 1977
Venezuela	13 March 1964		
Viet Nam		10 October 1979	8 January 1980
Yugoslavia	14 September 1963	12 February 1971	13 May 1971
Zaire		20 July 1977	18 October 1977
Zambia		14 September 1971	13 December 1971

- (1) Declaration dated 15 May 1975 by Bahamas that it considers to be bound to the said Convention by virtue of the ratification of the United Kingdom and pursuant to customary international law. The Commonwealth of the Bahamas attained independence on 10 July 1973.
 - (2) Reservation: Does not consider itself bound by Article 24, paragraph 1, of the Convention.
 - (3) The Instrument of Accession contains the following statement: "The Chinese Government declares illegal and null and void the signature and ratification by Chaing clique usurping the name of China in regard to the above mentioned Convention".
 - (4) Declaration dated 18 January 1972 by Fiji that it succeeded, upon independence, (whereof the date was 10 October 1970) to the rights and obligations of the United Kingdom in respect of this Convention.
 - (5) Accession by the Republic of Iraq to the Convention shall, however, in no way signify recognition of Israel or entry into any relations with it.
 - (6) It is understood that the accession to the Convention on Offences and Certain Other Acts Committed on Board Aircraft, done at Tokyo, 1963, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relation will arise between the State of Kuwait and Israel.
 - (7) In case of a dispute, all recourse must be made to the International Court of Justice on the basis of the unanimous consent of the parties concerned".
 - (8) Declaration: "... the Convention, with respect to the Kingdom of the Netherlands, shall not enter into force for Suriname and/or the Netherlands Antilles until the ninetieth day after the date on which the Government of the Kingdom of the Netherlands will have notified the International Civil Aviation Organization that in Suriname and/or in the Netherlands Antilles the necessary steps for giving effect to the provisions of the above mentioned Convention have been taken".
- Note: On 4 June 1974 a Declaration dated 10 May 1974 was deposited with the International Civil Aviation Organization by the Government of the Kingdom of the Netherlands stating that the necessary steps for giving effect to the provisions of the Convention have been taken in regard to making the Convention applicable to Suriname and the Netherlands Antilles. Accordingly, the Convention takes effect for Suriname and the Netherlands Antilles on 2 September 1974.
- (9) The accession by the Government of the Sultanate of Oman to the Convention does not mean or imply, and shall not be interpreted as recognition of Israel generally or in the context of this Convention.

- (10) Declaration dated 6 November 1975 by Papua New Guinea that "it desires to be treated as a party in its own right to the said Convention", which entered into force for Australia on the twentieth day of September 1970, and has applied to the Territory of Papua and Trust Territory of New Guinea". Papua New Guinea attained independence on 16 September 1975.
- (11) The Instrument of Succession was deposited with ICAO on 10 September 1979. Prior to that date the provisions of the Convention applied to Suriname by virtue of a declaration dated 10 May 1974 by the Government of the Kingdom of the Netherlands. The Republic of Suriname attained independence on 25 November 1975. (See also footnote 8.)
- (12) Declaration: "... the provisions of the Convention shall not apply in regard to Southern Rhodesia unless and until the Government of the United Kingdom inform the International Civil Aviation Organization that they are in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented."
- (13) Reservation: "In accepting the said Convention, the Government of the United Arab Emirates takes the view that its acceptance of the said Convention does not in any way imply its recognition of Israel, nor does it oblige to apply the provisions of the Convention in respect of the said Country".

2. Convention for the suppression of unlawful seizure
 of Aircraft signed at The Hague on 16 December 1970
 (entered into force on 14 October 1971)

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession (a)</u>
Afghanistan	16 December 1970	
Argentina	16 December 1970	11 September 1972 (1)
Australia	15 June 1971	9 November 1972
Austria	28 April 1971	11 February 1974
Bahamas		13 August 1976
Bangladesh		28 June 1978
Barbados	16 December 1970	2 April 1973
Belgium	16 December 1970	24 August 1973
Benin	5 May 1971	13 March 1972
Bolivia		18 July 1979
Botswana		28 December 1978
Brazil	16 December 1970	14 January 1972 (2)
Bulgaria	16 December 1970	19 May 1971 (2)
Burundi	17 February 1971	
Byelorussian Soviet Socialist Republic	16 December 1970 (2)	30 December 1971 (2)
Canada	16 December 1970	20 June 1972
Cape Verde		20 October 1977
Chad	27 September 1971	12 July 1972
Chile	4 June 1971	2 February 1972
China		10 September 1980 (2) (12)
Colombia	16 December 1970	3 July 1973
Costa Rica	16 December 1970	9 July 1971
Cyprus		5 July 1972
Czechoslovakia	16 December 1970 (2)	6 April 1972
Democratic Kampuchea	16 December 1970	
Denmark	16 December 1970	17 October 1972 (3)
Dominican Republic	29 June 1971	22 June 1978
Ecuador	19 March 1971 (2)	14 June 1971
Egypt		28 February 1975 (2)
El Salvador	16 December 1970	16 January 1973
Equatorial Guinea	4 June 1971	
Ethiopia	16 December 1970	26 March 1979
Fiji	5 October 1971	27 July 1972
Finland	8 January 1971	15 December 1971
France	16 December 1970	18 September 1972
Gabon	16 December 1970	14 July 1971
Gambia	18 May 1971	28 November 1978
German Democratic Republic	4 January 1971	3 June 1971

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession (a)</u>
Germany, Federal Republic of	16 December 1970	11 October 1974
Ghana	16 December 1970	12 December 1973
Greece	16 December 1970	20 September 1973
Grenada		10 August 1978
Guatemala	16 December 1970 (2)	16 May 1979
Guinea-Bissau		20 August 1976
Guyana		21 December 1972
Hungary	16 December 1970	13 August 1971 (2)
Iceland		29 June 1973
India	14 July 1971	
Indonesia	16 December 1970	27 August 1976 (2)
Iran	16 December 1970	25 January 1972
Iraq	22 February 1971	3 December 1971
Ireland		24 November 1975
Israel	16 December 1970	16 August 1971
Italy	16 December 1970	19 February 1974
Ivory Coast		9 January 1973
Jamaica	16 December 1970	
Japan	16 December 1970	19 April 1971
Jordan	9 June 1971	18 November 1971
Kenya		11 January 1977
Kuwait	21 July 1971	25 May 1979 (11)
Lao People's Democratic Republic	16 February 1971	
Lebanon		10 August 1973
Lesotho		27 July 1978
Libyan Arab Jamahiriya		4 October 1978 (5)
Liechtenstein	24 August 1971	
Luxembourg	16 December 1970	22 November 1978
Malawi		21 December 1972 (2)
Malaysia	16 December 1970	
Mali	29 September 1971	
Mauritania		1 November 1978
Mexico	16 December 1970	19 July 1972
Mongolia	18 January 1971	8 October 1971
Morocco		24 October 1975 (6)
Nepal		19 January 1979
Netherlands	16 December 1970	27 August 1973 (7)
New Zealand	15 September 1971	12 February 1974
Nicaragua		6 November 1973
Niger	19 February 1971	15 October 1971
Nigeria		3 July 1973
Norway	9 March 1971	23 August 1971

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession (a)</u>
Oman		2 February 1977
Pakistan	12 August 1971	28 November 1973
Panama	16 December 1970	10 March 1972
Papua New Guinea		15 December 1975 (2)
Paraguay	30 July 1971	4 February 1972
Peru		28 April 1978 (2)
Philippines	16 December 1970	26 March 1973
Poland	16 December 1970	21 March 1972 (2)
Portugal	16 December 1970	27 November 1972
Republic of Korea		18 January 1973 (4)
Romania	13 October 1971 (2)	10 July 1972 (2)
Rwanda	16 December 1970	
Saudi Arabia		14 June 1974 (2) (8)
Senegal	10 May 1971	8 February 1978
Seychelles		29 December 1978
Sierra Leone	19 July 1971	13 November 1974
Singapore	8 September 1971	12 April 1978
South Africa	16 December 1970	30 May 1972 (2)
Spain	16 March 1971	30 October 1972
Sri Lanka		2 June 1978
Sudan		18 January 1979
Suriname		25 November 1975 (9)
Sweden	16 December 1970	7 July 1971
Switzerland	16 December 1970	14 September 1971
Syrian Arab Republic		10 July 1980 (2)
Thailand	16 December 1970	16 May 1978
Togo		9 February 1979
Tonga		21 February 1977
Trinidad and Tobago	16 December 1970	31 January 1972
Turkey	16 December 1970	17 April 1973
Uganda		27 March 1972
Ukrainian Soviet Socialist Republic	16 December 1970 (2)	21 February 1972
Union of Soviet Socialist Republics	16 December 1970 (2)	24 September 1972
United Kingdom of Great Britain and Northern Ireland	16 December 1970	22 December 1971 (10)
United States of America	16 December 1970	14 September 1971
Uruguay		12 January 1977
Venezuela	16 December 1970	
Viet Nam		17 September 1979 (2)
Yugoslavia	16 December 1970	2 October 1972
Zaire		6 July 1977

- (1) The instrument of ratification by Argentina contains a declaration which, in translation, reads: "The application of this Convention to territories the sovereignty of which may be disputed among two or more States, whether Parties to the Convention or not, may not be interpreted as alteration, renunciation, or waiver of the position upheld by each up to the present time".
- (2) Reservation made with respect to paragraph 1 of Article 12 of the Convention.
- (3) Until later decision, the Convention will not be applied to the Faroe Islands or to Greenland.

Note: A notification was received by the Government of the United Kingdom from the Government of the Kingdom of Denmark that, with effect from 1 June 1980, Denmark withdraws its reservation, made in the following terms upon ratification, in respect of Greenland:

"Sous la réserve que jusqu'à décision ultérieure la Convention ne s'appliquera pas aux Iles Féroé et au Groënland".

- (4) The accession by the Government of the Republic of Korea to the present Convention does not, in any way, mean or imply the recognition of any territory or regime which has not been recognized by the Government of the Republic of Korea as a State or Government.
- (5) The instrument of accession deposited by the Libyan Arab Jamahiriya contains a disclaimer regarding recognition of Israel.
- (6) "In case of a dispute, all recourse must be made to the International Court of Justice on the basis of the unanimous consent of the parties concerned".
- (7) The Convention cannot enter into force for the Netherlands Antilles until thirty days after the date on which the Government of the Kingdom of the Netherlands shall have notified the depositary Governments that the necessary measures to give effect to the provisions of the Convention have been taken in the Netherlands Antilles.

Note: On 11 June 1974 a declaration was deposited with the Government of the United States of America by the Government of the Kingdom of the Netherlands stating that in the interim the measures required to implement the provisions of the Convention have been taken in the Netherlands Antilles and, consequently, the Convention will enter into force for the Netherlands Antilles on the thirtieth day after the date of deposit of this declaration.

- (8) Approval by Saudi Arabia does not mean and could not be interpreted as recognition of Israel generally or in the context of this Convention.
- (9) Notification of Succession to the Convention was deposited with the Government of the United States of America on 27 October 1978, by virtue of the extension of the Convention to Suriname by the Kingdom of the Netherlands prior to independence. The Republic of Suriname attained independence on 25 November 1975.
- (10) The Convention is ratified "in respect of the United Kingdom of Great Britain and Northern Ireland and Territories under territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate".
- (11) Ratification by Kuwait was accompanied by an Understanding, stating that ratification of the Convention does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel.
- (12) The Instrument of Accession by the Government of the People's Republic of China contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above mentioned Convention by the Taiwan authorities in the name of China".

3. Convention for the suppression of unlawful acts against the safety
 safety of Civil Aviation signed at Montreal on 23 September 1971
 (entered into force on 26 January 1973)

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession</u>
Argentina	23 September 1971	26 November 1973
Australia	12 October 1972	12 July 1973
Austria	13 November 1972	11 February 1974
Bangladesh		28 June 1978
Barbados	23 September 1971	6 August 1976
Belgium	23 September 1971	13 August 1976
Botswana	12 October 1972	28 December 1978
Brazil	23 September 1971 (1)	24 July 1972 (1)
Bulgaria	23 September 1971 (1)	28 March 1973 (1)
Burundi	6 March 1972	
Byelorussian Soviet Sociaslit Republic	23 September 1971 (1)	31 January 1973 (1)
Canada	23 September 1971	19 June 1972
Cape Verde		20 October 1977
Chad	23 September 1971	12 July 1972
Chile		28 February 1974
China		10 September 1980 (1) (12)
Colombia		4 December 1974
Congo	23 September 1971	
Costa Rica	23 September 1971	21 September 1973
Cyprus	28 November 1972	15 August 1973
Czechoslovakia	23 September 1971 (1)	10 August 1973 (1)
Denmark	17 October 1972	17 January 1973 (3)
Dominican Republic	31 May 1972	28 November 1973
Ecuador		12 January 1977
Egypt	24 November 1972	20 May 1975 (1)
El Salvador		25 September 1979
Ethiopia	23 September 1971	26 March 1979 (1)
Fiji	21 August 1972	5 March 1973
Finland		13 July 1973
France		30 June 1976 (1)
Gabon	24 November 1971	29 June 1976
Gambia		28 November 1978
German Democratic Republic	6 March 1972	9 June 1972
Germany, Federal Republic of	23 September 1971	3 February 1978
Ghana		12 December 1973
Greece	9 February 1972	15 January 1974
Grenada		10 August 1978
Guatemala	9 May 1972	19 October 1978 (1)

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession</u>
Guinea-Bissau		20 August 1976
Guyana		21 December 1972
Haiti	6 January 1972	
Hungary	23 September 1971 (1)	27 December 1972 (1)
Iceland		29 June 1973
India	11 December 1972	
Indonesia		27 August 1976 (1)
Iran		10 July 1973
Iraq		10 September 1974
Ireland		12 October 1976
Israel	23 September 1971	30 June 1972
Italy	23 September 1971	19 February 1974
Ivory Coast		9 January 1973
Jamaica	23 September 1971	
Japan		12 June 1974
Jordan	2 May 1972	13 February 1973
Kenya		11 January 1977
Kuwait		27 November 1979 (5)
Lao People's Democratic Republic	1 November 1972	
Lebanon		23 December 1977
Lesotho		27 July 1978
Libyan Arab Jamahiriya		19 February 1974
Luxembourg	29 November 1971	
Malawi		21 December 1972 (1)
Mali		24 August 1972
Mauritania		1 November 1978
Mexico	25 January 1973	12 September 1974
Mongolia	18 February 1972 (1)	14 September 1972 (1)
Morocco		24 October 1975 (6)
Nepal		19 January 1979
Netherlands	23 September 1971	27 August 1973 (7)
New Zealand	26 September 1972	12 February 1974
Nicaragua	22 December 1972	6 November 1973
Niger	6 March 1972	1 September 1972
Nigeria		3 July 1973
Norway		1 August 1973
Oman		2 February 1977 (1) (8)
Pakistan		24 January 1974
Panama	18 January 1972	24 April 1972
Papua New Guinea		15 December 1975 (1)
Paraguay	23 January 1973	5 March 1974
Peru		28 April 1978 (1)

<u>States</u>	<u>Date of Signature</u>	<u>Date of deposit of instrument of ratification or accession</u>
Philippines	23 September 1971	26 March 1973
Poland	23 September 1971 (1)	28 January 1975 (1)
Portugal	23 September 1971	15 January 1973
Republic of Korea		2 August 1973 (4)
Romania	10 July 1972 (1)	15 August 1975 (1)
Rwanda	26 June 1972	
Saudi Arabia		14 June 1974 (1) (9)
Senegal	23 September 1971	3 February 1978
Seychelles		29 December 1978
Sierra Leone		20 September 1979
Singapore	21 November 1972	12 April 1978
South Africa	23 September 1971 (1)	30 May 1972 (1)
Spain	15 February 1972	30 October 1972
Sri Lanka		2 June 1978
Sudan		18 January 1979
Suriname		25 November 1975 (10)
Sweden		10 July 1973
Switzerland	23 September 1971	17 January 1978
Syrian Arab Republic		10 July 1980 (1)
Thailand		16 May 1978
Togo		9 February 1979
Tonga		21 February 1977
Trinidad and Tobago	9 February 1972	26 January 1973
Turkey	5 July 1972	23 December 1975
Ukrainian Soviet Socialist Republic	23 September 1971 (1)	26 January 1973 (1)
Union of Soviet Socialist Republics	23 September 1971 (1)	19 February 1973 (1)
United Republic of Cameroon		11 July 1973 (2)
United Kingdom of Great Britain and Northern Ireland	23 September 1971	25 October 1973 (11)
United States of America	23 September 1971	1 November 1972
Uruguay		12 January 1977
Venezuela	23 September 1971	
Yemen	23 October 1972	
Yugoslavia	23 September 1971	2 October 1972
Zaire		6 July 1977

- (1) Reservation made with respect to paragraph 1 of article 14 of the Convention.
- (2) "In accordance with the provisions of the Convention of 23 September 1971, for the Suppression of Unlawful Acts directed against the Security of Civil Aviation, the Government of the United Republic of Cameroon declares that in view of the fact that it does not have any relations with South Africa and Portugal, it has no obligation towards these two countries with regard to the implementation of the stipulations of the Convention".
- (3) Until later decision the Convention will not be applied to the Faroe Islands or to Greenland.

Note: A notification was received by the Government of the United Kingdom from the Government of the Kingdom of Denmark that, with effect from 1 June 1980, Denmark withdraws its reservation, made in the following terms upon ratification, in respect of Greenland".

"Sous la réserve que jusqu'à décision ultérieure la Convention ne s'appliquera pas aux Iles Féroé et au Groënland".

- (4) The accession by the Government of the Republic of Korea to the present Convention does not in any way mean or imply the recognition of any territory or régime which has not been recognized by the Government of the Republic of Korea as a State or Government.
- (5) It is understood that accession to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation done at Montreal, 1971, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relation will arise between the State of Kuwait and Israel.
- (6) "In case of a dispute, all recourse must be made to the International Court of Justice on the basis of the unanimous consent of the parties concerned".
- (7) The Convention cannot enter into force for the Netherlands Antilles until 30 days after the date on which the Government of the Kingdom of the Netherlands shall have notified the depositary Governments that the necessary measure to give effect to the provisions of the Convention has been taken in the Netherlands Antilles.

Note: On 11 June 1974 a declaration was deposited with the Government of the United States by the Government of the Kingdom of the Netherlands stating that in the interim the measure required to implement the provisions of the Convention has been taken in the Netherlands Antilles and, consequently, the Convention will enter into force for the Netherlands Antilles on the thirtieth day after the date of deposit of this declaration.

- (8) Accession to the said Convention by the Government of the Sultanate of Oman does not mean or imply, and shall not be interpreted as recognition of Israel generally or in the context of this Convention.
- (9) Approval by Saudi Arabia does not mean and could not be interpreted as recognition of Israel generally or in the context of this Convention.
- (10) Notification of Succession to the Convention was deposited with the Government of the United States of America on 27 October 1978, by virtue of the extension of the Convention to Suriname by the Kingdom of the Netherlands prior to independence. The Republic of Suriname attained independence on 25 November 1975.
- (11) The Convention is ratified "in respect of the United Kingdom of Great Britain and Northern Ireland and Territories under territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate".
- (12) The Instrument of Accession by the Government of the People's Republic of China contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above-mentioned Convention by the Taiwan authorities in the name of China".
