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SUMMARY RECORD OF THE 55th MEETING

Chairman: Mr. AL-QAYSI (Iraq)

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COMPLETION OF THE COMMITTEE'S WORK

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The meeting was called to order at 3.55 p.m.

AGENDA ITEM 129: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE SECRETARY-GENERAL (continued) (A/40/445 and Add.1 and 2, A/40/269, A/40/399-S/17293, A/40/474, A/40/603-S/17438, A/40/620, A/40/853-S/17609, A/40/967-S/17666; A/C.6/40/3, A/C.6/40/5, A/C.6/40/6, A/C.6/40/9; A/C.6/40/L.2/Rev.1, L.3/Rev.1, L.4 and L.31)

1. The CHAIRMAN, introducing draft resolution A/C.6/40/L.31, which had been distributed in his name, said that it was a collective effort on the part of the sponsors of draft resolutions A/C.6/40/L.2/Rev.1, L.3/Rev.1 and L.4 to reach agreement. He wished to make the following changes in draft resolution A/C.6/40/L.31: in the fourth preambular paragraph, the word "international" should be deleted before the words "terrorism in all its forms"; in the English version the first word in paragraph 1 should be "Unequivocally" and there should be an "s" at the end of "result" in paragraph 2; in paragraph 9 the words "a consistent pattern of gross and reliably attested violations" should be replaced by "mass and flagrant violations".

2. Mr. ORAMAS-OLIVA (Cuba) said that draft resolution A/C.6/40/L.31 was a praiseworthy attempt to reach agreement on a delicate agenda item. However, its failure to mention certain elements was a lacuna which lay at the heart of the problem. In that connection, he wished to propose some substantive amendments. First, in the third preambular paragraph, the conventions should not be cited - his country was not a party to several of them; he therefore proposed that the latter part of that paragraph, from the words "inter alia" until the end, should be deleted. Secondly, paragraph 1 should be replaced by the following text "Strongly condemns all policies, methods and practices of terrorism, including State terrorism, as a criminal act against mankind, regardless of their form or modality;". Thirdly, in paragraph 6 of the Spanish version the word "Insta" should be replaced by "Exhorta". Also in that paragraph, the words "assisting or participating ... commission of such acts;" should be replaced by the words "assisting or participating in terrorist acts in other States or acquiescing in activities within their territory directed towards the commission of such acts;".

3. The CHAIRMAN pointed out that the text of the proposed Cuban amendment to paragraph 1 was identical with the text of paragraph 1 of draft resolution A/C.6/40/L.2/Rev.1.

4. Mr. ORAMAS-OLIVA (Cuba) requested a suspension of the meeting to allow delegations to hold consultations on his proposals.

5. Mr. ROSENSTOCK (United States of America) inquired whether the proposed amendment to paragraph 6 was also taken from draft resolution A/C.6/40/L.2/Rev.1.

6. Mr. ORAMAS-OLIVA (Cuba) confirmed that that was the case.

7. Mr. ALBAN-HOLGUIN (Colombia) said it was regrettable that Cuba was insisting on making amendments to draft resolution A/C.6/40/L.31 after a consensus had been achieved, thanks to the efforts of the Chairman.
8. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics), speaking on a point of order, said that, in accordance with rule 119 (a) of the rules of procedure, a decision should be taken on Cuba's request for a suspension of the meeting.
9. The CHAIRMAN said that the representative of Colombia had not yet made any proposal. The Committee should hear him out before any action was taken in accordance with rule 119.
10. Mr. ALBAN-HOLGUIN (Colombia) said that his proposal, in accordance with rule 116 of the rules of procedure, was that there should be no further discussion on the amendments proposed by Cuba, since consensus had been reached on the text of draft resolution A/C.6/40/L.31. He proposed that the Committee should proceed to vote on that consensus text.
11. The CHAIRMAN said that the motion to suspend the meeting took precedence according to rule 119 of the rules of procedure. He was therefore obliged to suspend the meeting. When it reconvened the Committee would take up the Colombian motion.
- The meeting was suspended at 4.20 p.m. and resumed at 4.40 p.m.
12. The CHAIRMAN recalled that the representative of Colombia had presented a motion under rule 116 of the rules of procedure.
13. Mr. ALBAN-HOLGUIN (Colombia) said that his delegation wanted the consensus reached on draft resolution A/C.6/40/L.31 to be respected. It was not questioning the content of Cuba's proposed amendments, with which it agreed. It was merely concerned with maintaining the consensus.
14. Mr. ORAMAS-OLIVA (Cuba) inquired whether the representative of Colombia was suggesting that no action should be taken on the Cuban proposals.
15. Mr. ALBAN-HOLGUIN (Colombia) said that that was correct.
16. The CHAIRMAN said that in accordance with the rules of procedure, two representatives might speak in favour and two against Colombia's motion not to take action on the amendments proposed by Cuba.
17. Mr. ORAMAS-OLIVA (Cuba), speaking against the motion, said that the amendments he had submitted were indispensable elements in a text on terrorism. It was not appropriate to speak of terrorism without referring to acts which cost thousands of lives, such as the acts of terrorism committed by South Africa against Angola, or by Israel against neighbouring Arab States. His own country had been the victim of acts of terrorism, including attempts on the life of the head of State and other Cuban leaders. Such acts of terrorism were now a very serious world-wide phenomenon. His delegation therefore insisted that its amendments should be considered and put to the vote.

18. Mr. BENNOUNA (Morocco), supporting the Colombian motion, congratulated the Chairman on his untiring efforts to achieve a consensus text. The question of terrorism was of the greatest concern to all delegations, especially at a time when terrorist activities were occurring almost daily, especially in the Arab world, and spreading to all regions. A text adopted by consensus would carry far more weight in the struggle against such criminal acts. His delegation had therefore requested that no further texts should be submitted and that serious negotiations should be initiated under the direction of the Chairman. After lengthy discussions among the non-aligned countries, it was the Cuban draft resolution that had become the basis of the text which had been debated in good faith and adopted in the contact group and which all delegations, including that of Cuba, had requested the Chairman to submit to the Sixth Committee. Morocco had therefore been unable to understand Cuba's change of attitude and had asked the Cuban delegation to inform its Government of the sensitivity of members of the Committee, and in particular the representatives of non-aligned countries, on the item. Morocco had asked Cuba to reconsider its position. Unfortunately, a new attempt was now being made to break the consensus. Morocco supported the Colombian motion without any prejudice to the content of the Cuban amendments. His delegation's support was based on moral and ethical reasons and on the desire to maintain the consensus.

19. Mr. CORREIA (Angola), speaking against the Colombian motion, said that his delegation was anxious to maintain the consensus, but found parts of draft resolution A/C.6/40/L.31 unacceptable. For example, paragraph 1 did not refer to the concept of State terrorism, a concept that clearly existed. He wished to draw attention, in that connection, to the fact that the Security Council had condemned the policy of State terrorism pursued by South Africa. His delegation could not yield on that point and therefore believed that the Committee should put the important principles in question to a separate vote.

20. The motion presented by Colombia under rule 116 of the rules of procedure was adopted by 52 votes to 32, with 33 abstentions.

21. Mr. ORAMAS-OLIVA (Cuba) said that the result of the voting showed how difficult it was to reach a consensus in the current circumstances. Consideration of draft resolution A/C.6/40/L.31 should be deferred and no action should be taken on it at the current meeting. He therefore wished, under rule 116 of the rules of procedure, to move the adjournment of the debate on the question under discussion.

22. The motion presented by Cuba under rule 116 of the rules of procedure was rejected by 63 votes to 9, with 38 abstentions.

23. Mr. SCHRICKE (France) requested a roll-call vote on draft resolution A/C.6/40/L.31.

24. Mr. ORAMAS-OLIVA (Cuba) requested under rule 129 of the rules of procedure, that the third preambular paragraph and paragraphs 1, 6, 8, 11 and 12 of draft resolution A/C.6/40/L.31 should be put to separate votes.

25. Mr. EDWARDS (United Kingdom), speaking on a point of order, said that his delegation objected to the Cuban motion. Draft resolution A/C.6/40/L.31 was a compromise text and represented a package. The Committee should therefore vote on the draft as a whole.



26. Mr. SCHRICKE (France) said that his delegation endorsed the views just expressed by the representative of the United Kingdom. It must be stressed that certain parts of the draft resolution gave rise to difficulties for the French delegation; but it would not request separate votes.
27. Mr. BAALI (Algeria) said that draft resolution A/C.6/40/L.31 was no longer a consensus text. Any delegation had the right to request separate votes on individual paragraphs of a draft resolution. Every delegation must take a position on the individual paragraphs in question. His delegation therefore supported the Cuban motion.
28. Mr. BENNOUNA (Morocco) said that there had been a gentleman's agreement that draft resolution A/C.6/40/L.31 should be considered as a whole. His delegation believed that that text should be adopted as a whole, by consensus.
29. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that, although all members of the Committee wished to adopt a consensus text, it must be borne in mind that representatives had to act in accordance with the instructions received from their Governments. It was often simply not possible to achieve a consensus, and it was not a particularly serious matter if a delegation was unable to support a given proposal. A representative was entitled to request a separate vote on any point and on any paragraph of a proposal or resolution before the Committee. Furthermore, it was no accident that provision was made for such situations in the rules of procedure. His delegation was of the view that rule 129 should be applied.
30. The motion presented by Cuba under rule 129 of the rules of procedure was rejected by 54 votes to 27, with 38 abstentions.
31. The CHAIRMAN said that in view of the procedural votes taken so far, it would not be appropriate to adopt draft resolution A/C.6/40/L.31 without a vote. However, unless the French representative insisted on his request for a roll-call vote, he would suggest that voting should be by show of hands.
32. It was so decided.
33. Mr. ORAMAS-OLIVA (Cuba), speaking in explanation of vote, said that his delegation would vote against the draft resolution, primarily because it objected to paragraph 1, which failed to take account of State terrorism as practised, for example, by the United States against Nicaragua and Cuba, by Israel in the occupied territories, and by South Africa against Angola. Having suffered at first hand from acts of State terrorism, Cuba was determined to keep faith with those who continued to suffer from such acts. It therefore could not accept a draft which failed to make it clear where the responsibility lay.
34. Mr. OMAR (Libyan Arab Jamahiriya) said that his delegation had opposed the Colombian motion because a similar ploy, designed to deprive a delegation of the right to have its proposal considered and voted upon, had been used against the Libyan Arab Jamahiriya on several occasions in the past. His delegation would, however, vote in favour of draft resolution A/C.6/40/L.31, which, although not

(Mr. Omar, Libyan Arab Jamahiriya)

wholly satisfactory, did contain some good elements, the most important among them being the unequivocal condemnation of international terrorism together with the reaffirmation of the right of peoples to self-determination and of the legitimacy of the struggle of national liberation movements.

35. Mr. LINDHOLM (Sweden) said that he deplored the developments which had made consensus impossible. His delegation was not happy with every detail of the draft proposed by the Chairman after long and difficult consultations, but would vote in favour of it on the understanding that it represented the common will of a vast majority of Member States.

36. Mr. ABDEL KHALEK (Egypt) said that his delegation would support the draft resolution as an act of solidarity with the delegations of non-aligned and other developing countries which had laboured in good faith to arrive at an acceptable text. His delegation's support should not, however, be taken to mean that it was fully satisfied with every paragraph of the draft.

37. Mr. RASUL (Pakistan) said that his delegation would also support the draft resolution for the reasons just given by the Egyptian representative.

38. Mr. ABDELRAHMAN (Sudan) said if his delegation voted otherwise than in favour of draft resolution A/C.6/40/L.31 it would be departing from its firmly held position as stated during the debate on agenda item 129 earlier in the session. While the language of the draft was not wholly to his delegation's liking, it represented a compromise solution which was generally acceptable.

39. Mr. MUTZELBURG (Federal Republic of Germany) said that his delegation was one of the sponsors of a previous proposal under the same item (A/C.6/40/L.3/Rev.1) and was naturally not fully satisfied with the draft resolution submitted by the Chairman. However, like many other delegations, it was prepared to make concessions in a spirit of compromise. The Committee was about to miss an historic opportunity to rally all Member States in a common approach to one of the most difficult and important problems of the day. Those who had disrupted the consensus would bear responsibility, not only for the negative consequences in the field of international terrorism, but also for having failed to contribute towards the strengthening of multilateralism in the crucial year of the fortieth anniversary of the United Nations. He hoped for a very strong vote in favour of the draft resolution.

40. Mr. EDON (Benin), Mr. ALAKWAA (Yemen) and Mr. TOLENTINO (Philippines) said that their delegations would vote in favour of the draft resolution although they were not entirely satisfied with its provisions.

41. Mr. MORAGA (Chile) said that his delegation would vote for the draft resolution, which it regarded as a triumph of good faith and good will.

42. Mr. AENA (Iraq) said that his delegation, too, would vote in favour of the draft resolution, on the understanding that in unequivocally condemning, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, paragraph 1 in no way excepted State terrorism.

43. Mr. BENNOUNA (Morocco) said that, like most others, his delegation was not entirely satisfied with the draft but would vote in favour of it because it reflected the international community's concern at the disturbing emergence of international terrorism and reflected its commitment to eliminate that scourge.
44. Mr. BAALI (Algeria) said that his delegation recognized the draft resolution's positive elements and would vote in favour of it. However, it wished to put on record that it did not consider the draft entirely satisfactory. The insistence on only one aspect of international terrorism, coupled with the absence of a specific condemnation of terrorism as practised by certain States and entities, was a serious shortcoming. Some of the formulations employed were obscure and could give rise to divergent interpretations or serve as a pretext for lumping acts of criminal terrorism together with those forming part of the legitimate struggle of national liberation movements. The appeal in paragraph 9 to all States and relevant United Nations organs to contribute to the progressive elimination of the causes underlying international terrorism should, in his delegation's view, have invoked the appropriate provisions of the Charter, in particular Chapter VII.
45. Draft resolution A/C.6/40/L.31 as orally revised was adopted by 118 votes to 1, with 2 abstentions.
46. Mr. HAYASHI (Japan), speaking in explanation of vote, said his delegation regretted that despite the efforts of the Sixth Committee to work out a consensus, it had had to vote on such an important question. While his delegation would have preferred the draft resolution it had co-sponsored (A/C.6/40/L.3/Rev.1), it had voted in favour of draft resolution A/C.6/40/L.31 out of respect for the serious efforts to achieve a consensus.
47. The overwhelming support received by the draft resolution was a reflection of the heightened international condemnation of the scourge of terrorism. In order to eliminate that scourge, countries must constantly explore specific measures of mutual co-operation. He hoped that the same lively spirit which had marked the 1985 debate in the Sixth Committee on agenda item 129 would prevail during future debates on the question of international terrorism.
48. Mr. EDWARDS (United Kingdom) said that he was greatly disappointed at Cuba's attempt to amend draft resolution A/C.6/40/L.31 after the difficult negotiations to work out a text that would be acceptable to all members. Like all compromise texts, the draft resolution contained elements on which some delegations had reservations, and omitted others which other delegations would have preferred to see included. The United Kingdom, for example, would have preferred to see a declaration that no cause could ever justify international terrorism. It had, nevertheless, accepted the draft resolution in a spirit of compromise, and in the hope that a vote on such an important text could be avoided.
49. The draft resolution had a number of positive features, in particular the provisions contained in paragraphs 1, 4, 6 and 13. His delegation hoped that it would make a practical and useful contribution to the elimination of the scourge of international terrorism.

50. Mr. SCHRICKE (France) said that his country had always resolutely condemned all acts of terrorism, however, by whomever and for whatever motives they were committed. The recent tragic events witnessed by the international community had reinforced that position. No country was immune to the scourge of terrorism, and the struggle against it therefore required international co-operation. Although it had reservations on certain of its provisions, his delegation had supported the draft. It believed that the rule of aut dedere, aut judicare referred to in paragraph 8 must be interpreted as implying respect for the principle of timely prosecution and the right of asylum.

51. Since the draft resolution had been the fruit of hard negotiations, he regretted that a consensus had not been possible. The result of the vote, however, had shown the overwhelming support of the international community for the struggle against international terrorism. The draft would become the first General Assembly resolution unequivocally condemning all forms of terrorism, wherever and by whomever committed, and as such, it constituted a significant step forward.

52. Mr. BERNAL (Mexico) said that his delegation had supported the draft resolution since it believed that all acts of terrorism must be strongly condemned. The draft, however, did not cover all aspects of the complex problem of international terrorism. While it had stressed the transnational effects of individual terrorist acts, it had not touched on certain aspects, such as the effects of terrorism on inter-State relations. His delegation welcomed the inclusion of measures to prevent terrorism, such as the provision on extradition treaties. However, while Mexico was a party to numerous extradition treaties, it had serious doubts as to whether the principle of extradition could be effectively applied in the case of international terrorism.

53. Mr. ENKHSAIKHAN (Mongolia) said that the draft resolution resolutely condemned as criminal all acts of terrorism, wherever and by whomever committed, expressed regret at the loss of innocent lives resulting from acts of terrorism, and called upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in other States, or acquiescing in activities within their territory directed towards the commission of such acts. For those reasons, his delegation supported the draft resolution. It regretted, however, that the text did not contain an unequivocal condemnation of State terrorism, which was the most dangerous form of terrorism and was being practised, for example, in southern Africa and against the States of Central America.

54. Mr. SWINNEN (Belgium) said that the draft resolution contained encouraging elements for the pursuit of the struggle against international terrorism, of which Belgium had been a recent victim. While his delegation had reservations on certain paragraphs, it felt that in the current state of international relations, the draft represented a balanced and realistic compromise.

55. His delegation welcomed the clear condemnation of all acts of terrorism, wherever and by whomever committed. Belgium appealed to all States to intensify international co-operation in combating terrorism and to consider becoming parties to the existing international conventions relating to various aspects of the problem.

(Mr. Swinnen, Belgium)

56. His delegation welcomed the reference to the recommendations of the International Civil Aviation Organization, as well as the request to the International Maritime Organization to study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures.

57. In view of the current resurgence of international terrorism, he regretted that the Sixth Committee had been unable to formulate an urgent and unanimous message to both victims and perpetrators of acts of terrorism, especially as 1985 marked the fortieth anniversary of the United Nations. He was, however, comforted by the quasi-unanimity with which the draft resolution had been adopted.

58. Mr. ALI (Democratic Yemen) said that his delegation had voted in favour of the draft resolution. The reaffirmation of the right to self-determination and the right of liberation movements to resort to armed struggle in all its forms, and the recognition that international terrorism could not be considered in isolation from the practices of colonial and racist régimes were among the positive elements of the text. His delegation noted that some delegations had sought to equate the struggle of liberation movements with terrorism, while others had sought to change acts of aggression into acts of self-defence.

59. Mr. PROSPER (Burkina Faso) said that his delegation would have preferred a consensus on draft resolution A/C.6/40/L.31. Burkina Faso condemned international terrorism in all its forms, particularly State terrorism. The text submitted by the Chairman, despite its positive elements, was deficient in view of certain realities of the international situation. His delegation had therefore abstained from voting.

60. Mr. KAHALEH (Syrian Arab Republic) said that while it had voted in favour of the draft resolution, his delegation was not entirely satisfied with its provisions. The text failed to cover State terrorism, from which many countries suffered. The Arab countries, for example, were the victims of Israeli terrorism.

61. The draft resolution did, however, contain certain positive features, such as the paragraphs on the right to self-determination and the right of liberation movements to resort to armed struggle, and the reference to the need to remove the causes of terrorism.

62. Mr. ROSENSTOCK (United States of America) said that although his delegation had co-sponsored another text, it had participated in good faith in difficult negotiations in which all sides had made concessions. It therefore had had no choice but to be among those delegations which had decided not to stand aside from draft resolution A/C.6/40/L.31. It deeply regretted that one delegation had not only chosen to stand aside from the text, but had also sought to cover up its real intentions and slip into its explanation of vote baseless attacks against the United States.

63. His delegation supported the draft resolution because it was, on balance, a good text, negotiated in good faith. Particularly impressive was the unequivocal condemnation of all acts of terrorism, wherever and by whomever committed. The United States was pleased to join in that unanimous condemnation, which clearly



(Mr. Rosenstock, United States)

ruled out the possibility of any justification for such acts. It was significant that the condemnation was unanimous; the disagreement was on the question of how broad the condemnation should be.

64. The text contained certain irrelevant material, such as the reaffirmation of the principle of self-determination. It should be pointed out that his delegation had no objection to the reaffirmation of that principle whenever and wherever appropriate, since it was a principle of universal application and was fundamental to the notion of human rights. However, the reference to self-determination contained in the seventh preambular paragraph was not only of doubtful usefulness but also excessive.

65. His delegation was not insensitive to the perceived needs of other delegations. While the partial list of causes contained in paragraph 9 was neither a necessary nor a useful addition to the text, the imperatives of other delegations were understandable. His delegation had accepted the text because, with its reference to human rights, it was not totally lacking in balance. It was also clear from the structure and the language of the draft resolution that paragraph 9 did not lay down a pre-condition for the other actions called for in the draft.

66. Mr. ZAMANINIA (Islamic Republic of Iran) said that the Islamic Republic of Iran condemned terrorism in all its forms, including State terrorism. It had not participated in the voting on the draft resolution. While the draft contained positive elements, including the recognition of the legitimacy of the struggle of peoples under occupation and colonialism and the reaffirmation of the right to self-determination, it failed to condemn State terrorism. That was the most important and destructive form of international terrorism. The adoption of draft resolutions such as the current one was hardly a step forward in multilateral negotiations or in the law-making process.

67. Mr. HERRERA CACERES (Honduras) said that while his delegation had not participated in the consultations on the draft resolution, it had placed its confidence in the group that had held those consultations, in the hope that the draft would take into account the Honduran view on the agenda item. His delegation was not entirely satisfied with the results of those consultations, but had accepted the draft resolution because it reflected a consensus.

68. In the preamble, his delegation would have preferred a specific reference to the Universal Declaration of Human Rights. Paragraph 1 should have stated that there was no justification whatsoever for terrorism. His delegation would also have preferred to see a reference to the terrorism practised by States against their own nationals and to the terrorism practised by individuals against members of their own group and against foreigners.

69. Paragraph 2 did not contain an explicit reference to forms of terrorism which jeopardized fundamental freedoms and human rights. The omission of such a crucial element reflected an inconsistency between the title and the substance of the draft resolution.



70. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that his delegation had voted in favour of the draft resolution because the Soviet Union was strongly opposed to international terrorism and condemned it wherever and by whomever it was committed, whether individuals or States. His delegation was gratified that the draft resolution did not equate national liberation movements with international terrorists while it would have preferred an explicit condemnation of State terrorism, it noted that elements of that concept were included in paragraphs 1 and 6. Paragraph 8, which urged States to conclude special treaties or to incorporate special clauses into bilateral treaties to facilitate the apprehension and prosecution or extradition of the perpetrators of acts of terrorism, was of crucial significance. The aim was to prevent further instances of non-co-operation on the part of the States. That provision would be particularly important in the effort to combat the hijacking of ships or aircraft and attacks on diplomatic and consular missions, of which his country had been the victim in various parts of the world. His delegation trusted that the resolution would enable the United Nations to contribute effectively to combating international terrorism.

71. Mrs. MEDINA KRAUDIE (Nicaragua) said that Nicaragua had voted in favour of the draft resolution because it was opposed to any act of terrorism. Despite its affirmative vote, however, it had serious reservations regarding various aspects of the draft. It would have preferred an explicit condemnation of State terrorism, of which Nicaragua was currently a victim.

72. Mr. CABALLERO-RODRIGUEZ (Cuba), speaking in exercise of the right of reply, said that although the representative of the United States had not specifically mentioned Cuba, he had clearly been referring to the Cuban delegation's statement of position on the draft resolution. Cuba had nothing to cover up and had always condemned acts of international terrorism. The allegation by the United States delegation was part of its customary campaign of lies and distortion. If any country was responsible for the failure to achieve a consensus, it was the United States. From the outset, that country had rejected out of hand any reference to State terrorism. Its reasons were understandable: for the past 25 years it had been engaged in a policy of State terrorism against Cuba. It had imposed on it a brutal blockade, unprecedented in peacetime; the actions of its Central Intelligence Agency (CIA) had included attempts on the lives of Cuba's leaders, sabotage against the people's means of livelihood and the Bay of Pigs invasion, which had been financed and organized by the United States. Even in the territory of the United States itself, there were countless organizations of ex-Cubans working under CIA direction against Cuba and its representatives. A member of the Cuban Mission to the United Nations had been the victim of such a group. Such acts of State terrorism fully accounted for the United States resistance to the insertion in paragraph 1 of an explicit condemnation of State terrorism as well as international terrorism.

73. Mr. ROSENSTOCK (United States of America), speaking in exercise of the right of reply, said that his delegation had not accused Cuba of not opposing terrorism. The United States was pleased that even those who opposed the draft resolution did so not because they objected to the condemnation of international terrorism, but because they would have preferred a still broader condemnation. Regarding the attack on the Cuban diplomat, he said that the United States had condemned the act

(Mr. Rosenstock, United States)

when it had occurred, had succeeded in apprehending the persons involved, and had tried and convicted them. There was no way in which that tragic occurrence could be regarded as State terrorism.

74. The United States objected to the concept of State terrorism in the draft resolution because that concept had to do with the unlawful use of force by States. Article 2, paragraph 4, of the Charter covered every aspect of that subject. What had plagued the world so much in recent years was not the actions of States, but those of entities other than States, those of groups and individuals. That had created enormous legal and technical problems. It was necessary to use a generic term such as "terrorism". The word could, of course, be made to mean other things, but it was not necessary to use it in order to attack the use of force at the State level, which was already a violation of peremptory norms. In his delegation's view, those delegations, such as that of Cuba, which wished to focus so intently on State terrorism were intentionally or unintentionally blunting the effects of the campaign against acts of terrorism such as hijacking, hostage-taking and the murder of diplomats. The inclusion of State action in the draft resolution in an attempt to find legal rules for dealing with State conduct that was in violation of fundamental norms would weaken the effort against the kind of conduct that was harming citizens of all countries and was particularly detrimental to the fundamental means of communication between States. Many delegations which might well have preferred an explicit reference to State terrorism had recognized the fundamental importance of achieving a consensus. His delegation greatly appreciated their co-operation and good faith.

75. Mr. CABALLERO-RODRIGUEZ (Cuba), speaking in exercise of the right of reply, said that the United States representative had used an intricate legal argument in order to interpret what was meant by "State terrorism"; he had at least accepted that what the majority of countries meant by that term was the use of force in inter-State relations. His delegation trusted that the United States would join in combating terrorism of that kind, would therefore halt the use of force against Cuba and against Nicaragua, and would condemn South Africa's State terrorism, or use of force, against Angola and other African States, as well as the State terrorism practised by Israel against the Palestinian and other Arab peoples.

76. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 129.

COMPLETION OF THE COMMITTEE'S WORK

77. The CHAIRMAN said that the Committee had spent about 190 hours in 95 formal and informal meetings and had adopted 15 draft resolutions and 4 draft decisions. The statistics showed that time had been used to the best advantage, and that debates had required far fewer meetings than usual, thus allowing more informal consultations. Nevertheless, much improvement was still needed.

78. The majority of the outstanding problems relating to the most important items before the Committee were still unresolved. However, progress which would have been unthinkable in the recent past had been achieved in certain areas. There was no cause for despair. The problems confronting the Committee were a reflection of

(The Chairman)

the political, social and economic problems plaguing the world, and the role of international law was to provide a universal system of checks and balances to reconcile the concerns that lay behind conflicting interests and so enable the use of force to be rejected in favour of the common good. Concepts inevitably clashed, but diversity should be a source of strength, provided that a clear idea was kept of what was fair and reasonable. The Committee could surely attempt to achieve that. As lawyers, its members should resolve to maintain their unique fraternity in their efforts to temper force by law. In conclusion, he expressed gratitude to all members of the Committee, and to its officers in particular, for their co-operation and assistance.

79. After an exchange of courtesies, the CHAIRMAN declared that the Committee had completed its work for the fortieth session.

The meeting rose at 7.45 p.m.