



SIXTH COMMITTEE
68th meeting
held on
Wednesday, 7 December 1983
at 10.30 a.m.
New York

UN/SA COLLECTION
SUMMARY RECORD OF THE 68th MEETING

Chairman: Mr. GASTLI (Tunisia)

CONTENTS

AGENDA ITEM 123: 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)

AGENDA ITEM 134: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

AGENDA ITEM 133: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY (continued)

OTHER MATTERS

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.6/38/SR.68
16 December 1983
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 10.55 a.m.

AGENDA ITEM 123: 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/38/355 and Add.1 to 3, A/38/327-S/15911, A/38/432-S/15992, A/38/507-S/16044, A/38/559-S/16118 and Corr.1; A/C.6/38/7; A/C.6/38/L.21)

1. Mr. KRAIKO (Byelorussian Soviet Socialist Republic) said that his delegation supported draft resolution A/C.6/38/L.21. His country's position had already been explained at previous sessions of the General Assembly and in the Secretary-General's report on the subject, issued as document A/38/355.
2. On principle, his country opposed all acts of terrorism, which hampered the normal flow of international relations and posed a threat to the maintenance of international peace and security. It therefore supported the decisions taken by the United Nations in that area. The ravages of terrorism continued none the less, and its targets included diplomatic representatives and missions. To prevent and punish such acts States should do all in their power to extradite and prosecute terrorists. But certain States that claimed to be concerned by the phenomenon did not really want to take specific steps to put down such doings in their territory, particularly when the victims were foreign diplomatic representatives.
3. However effective the steps taken were, action to combat terrorism was doomed to failure if it did not deal with the actual causes of the phenomenon. His country therefore favoured steps in that direction, bearing in mind such recognized principles of international law as the sovereignty of States, the inviolability of frontiers and non-interference in the domestic affairs of other States.
4. Discussion at earlier sessions of the Ad Hoc Committee of the causes of terrorism had revealed the importance of such matters as colonialism, racism, apartheid, genocide and the unfairness of the international economic order, all of which were products of capitalism.
5. The most serious form of international terrorism was that systematically practised by some States which used it to orchestrate campaigns to mislead public opinion and cause incidents justifying armed intervention. For that reason his country condemned Israel's dealings in the occupied Arab territories, apartheid, and South Africa's policy in Namibia. The South African minority régime itself accused those involved in the struggle against racism and for the national liberation of the South African people of terrorism.
6. In discussing steps to combat international terrorism, care should be taken not to jeopardize people's struggles for national liberation, whose legitimacy was recognized in the Charter of the United Nations and in many United Nations resolutions.

(Mr. Kraiko, Byelorussian SSR)

7. His country was prepared to consider the possibility of taking additional steps to eradicate international terrorism, and would do everything necessary to accomplish that task.
8. Mr. LAMAMRA (Algeria) expressed his regret that the item under consideration had been taken up still later in the current session than at the thirty-sixth session, and in circumstances still less conducive to dispassionate collective reflection on such an important matter.
9. Rather than delve into current affairs to discuss the question of terrorism, his delegation had always sought to deal with the phenomenon as a whole, as the wording of the agenda item itself suggested, and would continue to do so. It was natural for the United Nations to be concerned with the phenomenon of violence since the principle of refraining from the threat or use of force was enshrined in its Charter. The international community had tried to react against such violence by taking two complementary paths, one being to adopt and put into effect a series of specific international legal instruments, the other being to conduct an overall study with the aim of preventing terrorism by recognizing its causes and discovering appropriate solutions.
10. Both paths were still open. Although the international conventions on the subject had all come into force - without, however, having been adhered to by all countries - and a new convention on the use of mercenaries was in course of preparation, the process of defining the concept of terrorism had not yet been concluded. In resolutions 34/145 and 36/109 the General Assembly had endorsed some of the Ad Hoc Committee's recommendations on the subject, but the phenomenon of international terrorism had yet to be defined precisely and in detail and distinctions still needed to be drawn between its various forms the better to direct the search for effective solutions.
11. One thing the Ad Hoc Committee had recommended was the progressive elimination of the underlying causes of international terrorism, which was as much the responsibility of States, individually and collectively, as of United Nations bodies. It would be useful to see how far that recommendation had been put into effect.
12. The General Assembly had refused to allow any confusion of the various forms of international terrorism with legitimate national liberation struggles by peoples deprived of their natural right to self-determination and independence. It had also rejected the improper and unjustifiable extension of the term "terrorism" to cover the noble area of national resistance to colonial and racial subjugation or foreign domination and occupation. The relevant paragraphs of resolutions 34/145 and 36/109 reaffirmed the inalienable right of peoples to self-determination and independence and acknowledged the legitimacy of the struggle by national liberation movements.
13. The position taken by the General Assembly was in keeping with historical fact and developments in legal thinking as enshrined in the Declaration on Principles of

(Mr. Lamamra, Algeria)

International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations or the sections dealing with the legitimate struggle of peoples subject to colonial, racial or foreign domination in the Definition of Aggression and the Manila Declaration on the Peaceful Settlement of International Disputes. Additional Protocol I to the 1949 Geneva Conventions had, by regarding wars of national liberation as international armed conflicts, made the assimilation of acts by national liberation movements to acts of terrorism untenable.

14. If all the conventions adopted had not brought about the elimination of the phenomenon of terrorism, it was perhaps because the approach envisaged in the very wording of the item under consideration needed to be adopted. If the General Assembly at its current session did no more than reiterate its former position, the Sixth Committee should prepare, through consultations and appropriate organization of its work, to discuss the future of the item in greater depth.

15. Mr. KNIPPING-VICTORIA (Dominican Republic) said that the phenomenon of international terrorism had now taken on such proportions that the international community must make a concerted effort to prevent it. In order to wage such a campaign against terrorism, it was necessary not only to consider sanctions but also to study the phenomenon's underlying causes. It would also be desirable for all States to accede to the relevant international conventions and instruments, and his delegation wished to call upon the States Members of the United Nations that had not yet done so to ratify the instruments in question and to accede to them.

16. It would also be useful to take action with a view to simplifying and expediting international procedures relating to co-operation in the legal field and to intensify and improve the exchange of information in that field, as well as to co-ordinate, at the international level, legal action brought against terrorists.

17. His Government had condemned and would always condemn acts of terrorism, wherever they occurred. His country was outraged at the acts that had recently been perpetrated in Lebanon, Burma and Colombia, where the brother of the President of Colombia had been abducted, as well as at Jerusalem, where innocent people had died as a result of a cowardly terrorist attack. All those recent examples should prompt the international community to consider ways of mobilizing world public opinion with a view to combating the most serious type of human rights violation.

18. Mr. LEHNE (Austria) said that terrorism had become a scourge throughout the world that affected all States and must therefore be combated through effective measures of international co-operation. Austria had participated in the work of the Ad Hoc Committee on International Terrorism, which had been established in 1972, and fully supported the action recommended by the Ad Hoc Committee in its 1979 report.

19. Austria wished to reaffirm categorically that it strongly condemned all acts of terrorism, which could not be justified under any circumstances. It believed that terrorism, in all its brutal and cruel forms, was a particularly abhorrent

(Mr. Lehne, Austria)

crime that could not be justified by any political aim. It noted with concern that the efforts undertaken by the United Nations had not led to the elimination of international terrorism and that the number of acts of terrorism committed had increased over the past 10 years, to the extent that only the most hideous acts involving large numbers of victims or directed against the representatives of States commanded widespread public attention. In his delegation's view, the terrorist attack perpetrated on 9 October at Rangoon, which had claimed the lives of 21 people, including 4 ministers of the Republic of Korea, the perpetrators of which, according to the results of the investigation, came from the Democratic People's Republic of Korea, constituted a crime under the criminal law of all civilized nations and a particularly serious case of terrorism.

20. Both within the framework of the United Nations and outside it, Austria would always be in the forefront of the countries that were combating terrorism.

21. Mr. DESKER (Singapore) said that his Government had consistently opposed all acts of international terrorism and that it attached great importance to the efforts undertaken by the international community to prevent such acts and to eliminate their underlying causes. The General Assembly should call upon all States to fulfil their obligation under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within their territory directed towards the commission of such acts.

22. It was regrettable that the dividing line between international and domestic conflicts was becoming increasingly blurred and that there was a tendency to excuse acts of terrorism in cases where they furthered the ideological interests of particular States. There was therefore little likelihood that all States would accede to effective international instruments. In any event, even limited agreements involving countries with similar ideological views had not been particularly successful. However, the instruments adopted in the field under consideration must be implemented universally. The General Assembly should therefore appeal to the States that had not yet done so to become parties to the existing international conventions, particularly the Convention on Offences and Certain Other Acts Committed on Board Aircraft of 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft of 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973 and the International Convention against the Taking of Hostages of 1979.

23. His Government was particularly concerned at the event that had taken place on 9 October 1983 in Burma. It had been concluded, as a result of the investigation by the Government of Burma of the act of terrorism in question, which had caused the death of 21 people, including 4 ministers of the Government of the Republic of Korea, that the perpetrators of that heinous crime had been acting under instructions from the Government of the Democratic People's Republic of Korea. His Government therefore called upon that Government, in future, to uphold international law and the minimum rules governing conduct between civilized States.

/...

(Mr. Desker, Singapore)

24. If the relevant international instruments were to be effective, implementation procedures must be established. As long as the international community continued to be divided over the issue of whether State or individual terrorism was the greater threat to the peace and security of mankind, there would be little genuine international co-operation in that connection. Furthermore, if the international community was to put an end to that sterile debate and proceed to the adoption of effective measures and instruments, it might be necessary to recognize that both types of terrorism represented threats to the international community.

25. Mr. LOUET (France) recalled that on 9 October 21 people had lost their lives as a result of an attack perpetrated on a South Korean delegation on an official visit to Burma. His delegation once again expressed its condolences to the Permanent Observer Mission of Korea and condemned, in the strongest terms, that act perpetrated on Burmese territory. It had been established, on the basis of a formal inquiry conducted by the Government of Burma, that North Korea was responsible for that terrorist attack. That conclusion had prompted the Ministers for Foreign Affairs of the ten States members of the European Economic Community strongly to condemn that abominable act.

26. His delegation continued to believe that one of the prerequisites for any constructive action that might be taken by the United Nations in the field of international terrorism was an extremely broad-based consensus on the goal to be attained and, first and foremost, on the way in which States defined the concept of international terrorism.

27. His Government was determined to respond to acts of international terrorism, instances of which had recently afflicted France once again, whatever the cause in whose name they were committed. At the national level, it was a question of reconciling, on the one hand, the effectiveness of measures to combat terrorism and, on the other, respect for the fundamental principles laid down in the Constitution and in French criminal law. At the international level, France had already expressed support for a great number of initiatives designed to co-ordinate efforts to combat terrorism and had ratified a number of relevant conventions, including the Tokyo Convention and the Hague Convention.

28. His delegation continued to believe that, while combating terrorist acts, States should tackle the actual causes of the phenomenon, which were of a political nature.

29. Mr. AIYAR (India) said that the comments of Governments and international organizations contained in the report of the Secretary-General regarding international terrorism (A/38/355 and Add.1-3) had, like the views expressed by delegations in the Committee, shown that the international community unequivocally condemned acts of international terrorism which endangered innocent human lives or jeopardized fundamental freedoms. A number of countries had become parties to several of the international conventions relating to various aspects of international terrorism. India, for its part, had become a party to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally

(Mr. Aiyar, India)

Protected Persons, including Diplomatic Agents, the 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft, the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft, and the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.

30. There was also a growing awareness among States of the need to intensify international co-operation to prevent acts of international terrorism as well as to apprehend terrorists and bring them to justice. A number of bilateral and international conventions already existed in the field of judicial assistance, including some on matters relating to the extradition of terrorists. There was a need to co-ordinate national legislations and enforcement mechanisms with the international conventions so that there could be more effective exchanges of information and judicial assistance among States to deal with international terrorism.

31. It was a cause for great concern that, notwithstanding the steps taken by States, international organizations and other bodies to prevent and punish terrorist activities, it had not been possible to put an end to those wanton acts of violence resulting in the loss of innocent lives. His Government had been shocked by the outrageous violence committed at Rangoon on 9 October 1983, which had cost the lives of so many dignitaries of the Republic of Korea.

32. Acts of international terrorism increased tension and posed a threat to international peace and friendly co-operation among States. It had therefore become important to implement General Assembly resolution 34/145 which incorporated the recommendations of the Ad Hoc Committee on International Terrorism and called upon all States to refrain from organizing or instigating acts of civil strife or terrorist acts in another State and urged them, unilaterally and in co-operation with other States, to contribute to the progressive elimination of the causes underlying international terrorism. The resolution also recognized that both the General Assembly and the Security Council should pay special attention to all situations, including colonialism, racism and situations involving alien occupation, that might give rise to international terrorism. It was India's conviction that, unless the root causes of international terrorism were identified and eliminated, the international community would continue to witness acts of terrorism. His delegation called attention in that connection to the study contained in the working paper presented by a number of non-aligned countries to the Ad Hoc Committee on International Terrorism. It hoped that the international community would co-operate to root out the basic causes of international terrorism so as to prevent its occurrence.

33. Mr. TARASYUK (Ukrainian Soviet Socialist Republic) said that, as a member of the Ad Hoc Committee on International Terrorism, the Ukrainian SSR had taken an active part in the elaboration and adoption of measures to combat international terrorism. It had always condemned acts of terrorism that sought to destabilize Governments and damaged relations among States or hindered the development of international co-operation. It objected, however, to any attempt to equate the legitimate struggle of peoples for their national liberation with terrorism. In

(Mr. Tarasyuk, Ukrainian SSR)

its view, the basic cause of international terrorism was the racist policy of certain States which denied the right of peoples to self-determination.

34. The success of the struggle against international terrorism depended on the will of Governments to fight that crime by taking action at the national level, and especially legislative action, and by becoming parties to the international instruments directed against terrorism. The odious acts of terrorism that had recently occurred in several countries outraged world public opinion and served reactionary interests by giving dictators a pretext to reinforce their régimes. The events that had recently occurred in the Middle East, in southern Africa and in South-East Asia showed, in fact, that in many States international terrorism had become an element of national policy. Secret operations, assassinations and psychological warfare were all means used by the imperialist Powers to maintain their hegemony. If those means failed, then they turned to gunboat diplomacy.

35. His delegation shared the indignation of the Czechoslovak delegation over the acts of terrorism committed against experts working in developing countries under bilateral assistance agreements and it opposed any attempt to use those acts for purposes of provocation. It recalled that in resolution 34/145, the General Assembly had condemned the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence. In its view, those who trampled on the interests and rights of peoples were those actually responsible for international terrorism. His delegation believed that the General Assembly should take steps to eliminate the underlying causes of terrorism and it would support draft resolution A/C.6/38/L.21.

36. Mrs. VLAHOVIĆ (Yugoslavia) said that the instability of the current international situation and the atmosphere of distrust and tension in international relations fed terrorism in all its forms - national and international, individual and group, State and para-State terrorism. International terrorism endangered international peace and security since it was directed against basic values in international relations and against the sovereignty, independence and territorial integrity of militarily and economically weaker countries.

37. Foreign intervention and occupation, subversive activities, destabilization and interference in the internal affairs of other States were all manifestations of State terrorism. When a State financed, trained and even tolerated terrorist groups or supported their use to threaten the security, sovereignty, territorial integrity, unity and political independence of another State, it committed hostile acts against that State. The training, financing and use of mercenaries was therefore one of the most dangerous forms of international terrorism.

38. Because terrorism was an evil which threatened the security of all States, regardless of their political system, it was important for all States to join together to eradicate it. The relatively successful struggle against a once seemingly insurmountable form of terrorism - hijacking - was a positive experience, and there was no doubt that the wide acceptance of international conventions on

(Mrs. Vlahovic, Yugoslavia)

that question had contributed to that success. That experience demonstrated that the international community must take concerted action to deal with terrorism.

39. A clear distinction must be made between terrorism and the activities of national liberation movements which were struggling against the most organized form of terrorism - the oppression of peoples under colonial domination, foreign occupation and racism. Her delegation supported such just struggles and observed that Additional Protocol I to the 1949 Geneva Conventions defined liberation movements as parties in war conflicts.

40. Yugoslavia had always underscored the fact that all members of the international community should strive to prevent the problem of terrorism by eliminating its main causes. It had affirmed its readiness to work to overcome international terrorism by acceding to all international legal instruments in that sphere. However, it believed that those instruments had not exhausted all possibilities and that ways of effectively preventing international terrorism and promoting international co-operation to that end should continue to be sought. It was aware of the differences in positions on the definition of international terrorism and felt that it was not yet possible at that stage to elaborate a comprehensive convention on the subject. The Ad Hoc Committee on International Terrorism should be maintained, although it had no specific mandate at the moment, because the fact that it had in the past elaborated and adopted substantive recommendations by consensus justified its continuation.

41. His delegation considered it necessary to preserve unanimity with regard to the recommendations adopted by the Ad Hoc Committee, since the creation of a climate of confidence among States and the strengthening of international co-operation were essential to the success of the struggle against terrorism. It hoped that the question of international terrorism would be included in the agenda of the fortieth session of the General Assembly.

42. Mr. SANDIGA-CABRERA (Peru) said that terrorism was the most irrational expression of human intolerance. Peru therefore condemned international terrorism and would never accept the argument that the end justified the means. Acts of terrorism were to be condemned, whether committed by individuals or by organized groups or instigated by a State. In that regard, his delegation called for closer international co-operation, whether bilateral or multilateral, within the framework of the procedures and machinery provided for in the relevant international instruments. The fact that terrorism persisted in spite of the existence of international instruments to combat that phenomenon showed that it was necessary to develop the machinery established by those instruments with a view to refining it and making it more effective.

43. In order to break the vicious circle of violence, the international community must condemn such acts with vigour, regardless of their origin, especially since they seemed to be on the increase, as had recently been seen in the Middle East and in Burma.

(Mr. Sandiga-Cabrera, Peru)

44. Peru, which was a party to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, the 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft, 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 other international instruments aimed at combating international terrorism, wished to renew its commitment to the struggle against that phenomenon by co-operating in the search for more effective international mechanisms.

45. It would only be possible to obtain positive results in the struggle against international terrorism if all States without exception condemned all acts of terrorism, whatever their nature and regardless of their objectives or motivations, and if their perpetrators were systematically punished in an exemplary and rigorous manner.

46. Mr. ADEYEMI (Nigeria) said he shared the concern of other delegations regarding acts of terrorism, which were on the increase around the world in spite of international conventions prohibiting them. His country condemned acts of terrorism, whatever the reason for them. It condemned, in particular, the heinous act recently committed in Rangoon against high-ranking officials of the Republic of Korea. In its view, the injustices, whatever they might be, which existed in the world could not warrant recourse to terrorism and violence. Since the United Nations had been created to save the world from the scourge of war, it was incumbent upon its Members, in accordance with the spirit and letter of the Charter to combat all forms of warfare, particularly terrorism.

47. Mr. KASEMSRI (Thailand) said that acts of terrorism were crimes against mankind since they often took the lives of innocent human beings, regardless of their race, nationality or religious belief, and they undermined international peace and friendly relations between States. International terrorism should therefore be condemned unequivocally by the international community, no matter where it occurred.

48. While States were in agreement on the need to combat international terrorism, they did not agree on its definition and scope. While giving its full support to the struggle of peoples for their fundamental rights, especially their right to self-determination, his delegation believed that an act which took innocent human lives and caused damage to property should be regarded as a criminal act subject to the national jurisdiction of the State in which it occurred.

49. States had a duty to prevent acts of terrorism by taking preventive measures or by refraining from organizing or instigating terrorist acts against another State. The obligation to take preventive measures could not, however, be an absolute one. For that reason, the international community should take concerted measures, through all possible forms of co-operation, to combat international terrorism. The Ad Hoc Committee on International Terrorism could play a useful role in that connection.

(Mr. Kasemsri, Thailand)

50. In spite of the increasing efforts of States to arrest the escalation of violence linked with international terrorism, heinous acts of terrorism continued to claim innocent lives and shock the world. The brutal attack in October 1983 in Rangoon, which had taken the lives of four ministers and other senior officials of the Republic of Korea, as well as of many Burmese nationals, was an act of violence which could not be justified and which had elicited strong condemnation from the international community. It should be noted in that connection that the Burmese authorities had swiftly fulfilled their obligation by arresting the suspects and bringing them before the competent tribunal. He hoped that justice would be done.

51. States must continue to stand firm against international terrorism without yielding to intimidation or blackmail. Every effort should be made to convince terrorists that their crimes would not pay and, on the contrary, could only heighten tension and further complicate an already difficult situation by postponing indefinitely any chance for a peaceful settlement. At the same time, it must be emphasized that situations existed where colonial and racist régimes, alien domination or foreign occupation offered little choice to the subjugated peoples as to their means of struggling for their independence. In such situations, the underlying causes of terrorism must be examined with a view to eliminating them. The Rangoon incident, however, had not been such a situation and therefore had no legal or moral justification whatsoever.

52. Mr. EDON (Benin) noted with regret that the scourge of international terrorism persisted, in spite of the recommendations made by the General Assembly in its resolution 36/109. State terrorism was particularly dangerous and remained, in his view, the form of terrorism to be feared most. It was the means used by certain régimes, such as the racist régime of South Africa and the racist Zionist régime of Israel, to oppress their peoples, instigate subversion in other States and attempt to destabilize the régimes of neighbouring countries by using mercenaries, perpetrating acts of economic sabotage and fabricating so-called opposition groups. At the same time, the apartheid régime equated the actions of the courageous fighters of Namibia, forced to resort to armed struggle for the national liberation of their country, with terrorism. That was a serious misunderstanding and was completely unfounded. He felt that the tendency whereby fighters who had no other choice but to resort to armed struggle in order to regain their inalienable rights were referred to as terrorists was in itself a form of political terrorism which should be denounced.

53. In spite of the many existing international instruments for the elimination of international terrorism, that scourge continued to be on the increase. The most recent such act was the tragic incident at Rangoon, an inhuman act which was contrary to international morality and which his delegation strongly condemned. In that connection, he noted that documents A/38/355/Add.2 and A/38/355/Add.3 gave two different versions with regard to the perpetrators of that regrettable incident. Because of the two contradicting arguments presented, it would be foolhardy of the Committee to take sides and it would be more prudent at the present stage to avoid any denunciation of the Democratic People's Republic of Korea. Because of its seriousness, its impact on international relations and the indignation that it had

(Mr. Edon, Benin)

aroused throughout the world, the incident deserved to be made the subject of an international inquiry which might help the international community to determine what had happened.

54. His delegation felt that, in order to be victorious, the struggle against international terrorism necessarily required the identification of the underlying causes of that evil. As a peaceful country opposed to the use or threat of force in international relations, Benin was ready to support all measures considered necessary by the General Assembly to eradicate the contemporary scourge of international terrorism.

55. Mr. JHA (Nepal) said that his country had always opposed all acts of international terrorism which took innocent human lives and endangered international peace and security. Acts of terrorism, whether practised by an individual, a group or even a State usually unleashed a cycle of terroristic violence which could nullify the efforts made by justice- and peace-loving nations to restore peace and order in the world.

56. In line with that policy, Nepal had always attached great importance to international efforts to prevent acts of international terrorism and eliminate their underlying causes. Consequently, it had acceded to the Tokyo, Montreal and Hague Conventions and would support any initiative taken by the United Nations to combat terrorism, prevent terrorist acts and eliminate their underlying causes.

57. Nepal had welcomed the adoption of General Assembly resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976, 32/147 of 16 December 1977, 34/145 of 17 December 1979 and 36/109 of 10 December 1981 and had supported the 11 recommendations relating to practical measures of co-operation to be adopted for the speedy elimination of the problem of international terrorism submitted by the Ad Hoc Committee on International Terrorism and endorsed by the General Assembly in resolutions 34/145 and 36/109. Like the Ad Hoc Committee, his delegation considered that the General Assembly should continue to combat international terrorism, and it stressed the need for international co-operation to study the causes of that phenomenon and to take measures to combat it.

58. The Nepalese Government was deeply concerned over the spread of acts of international terrorism and had expressed its indignation at the terrorist bomb attack at Rangoon on 9 October 1983, which had claimed 21 lives, including four members of the Government of the Republic of Korea and other high-ranking Burmese and Korean officials. Not only were such acts in clear defiance of international law and the principles of the United Nations Charter, but they were also in contravention of paragraph 7 of General Assembly resolution 34/145, which called upon all States to fulfil their obligation under international law to refrain from organizing and instigating acts of civil strife or terrorist acts in another State.

59. Nepal categorically rejected terrorism in all forms and had consistently emphasized the need for the United Nations to adopt effective measures to prevent

(Mr. Jha, Nepal)

acts of international terrorism. Such acts were heinous crimes against humanity and the civilized world and the international community should not only condemn them but also take all possible steps to combat and eliminate them. Nepal joined other peace-loving States in unequivocally condemning acts of terrorism which were committed in flagrant violation of the Charter and the rules of international law which endangered international peace and security.

60. Mr. CASSIE CHETTY (Sri Lanka) said that the international community was gravely concerned at acts of terrorism which took innocent human lives and the perpetrators of which crossed State boundaries with impunity. The Government of Sri Lanka deplored those barbarous acts of terrorism which had been committed recently and which several speakers had mentioned during the discussion. Such acts, including political assassinations, directed towards securing goals unattainable through constitutional processes, could not be condoned by the international community.

61. Three main causes of terrorism could be identified from the multiplicity of contributory factors: terrorism could be regarded as a means of making a claim which could not be expressed through legal channels due to the laws in force; terrorism could also be considered the most effective means of furthering the interests of a group by giving publicity to its cause and demonstrating its capacity for destruction; lastly, terrorism could have psychological origins in those instances where the perpetrator resorted to violence through a sense of oppression or frustration despite the availability of effective means for the legitimate expression of his claims.

62. His delegation wished to state clearly and categorically that measures adopted to prevent international terrorism should in no way restrict the legitimate rights, guaranteed by the Charter and United Nations resolutions, of peoples to struggle against colonialism, neo-colonialism and apartheid. Resistance by persons against the miserable living conditions imposed on them and the violent reaction of oppressed peoples whose legitimate aspirations were systematically thwarted could not be considered acts of terrorism. On the contrary, the legitimate struggle of oppressed peoples for freedom and independence actually represented a negation of violence and subjugation.

63. In that context, it would be appropriate to deal with State terrorism and terrorism overtly or covertly encouraged by States. The instances in which the organs of law enforcement, defence, espionage and counter-espionage of certain Governments had systematically resorted to torture, collective punishment and violent reprisals were legion, and it would be superfluous to enumerate specific instances of acts of terrorism perpetrated by States superior in economic and military terms against the independence, sovereignty and territorial integrity of militarily weaker States.

64. In condemning an act of international terrorism, due consideration should be given to its underlying causes. There was an indisputable link between acts of violence committed across State boundaries and exploitation, social injustice,

(Mr. Cassie Chetty, Sri Lanka)

inequality, subjugation and oppression. The international community, working through the United Nations and its organs, should therefore put an end to attempts at destabilization of Governments, occupation of territories by foreign armies, mass expulsion of indigenous populations and the rejection of the national aspirations of oppressed peoples.

65. When trying to prevent acts of international terrorism, it should be borne in mind that the perpetrators of those acts operated from the territories of States neighbouring the target States or sought refuge in them. Often, there was a tacit acquiescence if not active connivance in those acts on the part of the neighbouring State. If the international community's action to prevent such acts was to be effective, all States should 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. Moreover, by adopting the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the General Assembly had endorsed the principle concerning the duty not to intervene in the internal or external affairs of any State in accordance with the Charter, with the content of that principle being defined in the Declaration.

66. In order to help combat international terrorism, his Government supported the establishment of mechanisms for strengthening collaboration among Governments and competent national authorities.

67. Sri Lanka had acceded to the Convention on Offences and Certain Other Acts Committed on Board Aircraft, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation and the Convention for the Suppression of Unlawful Seizure of Aircraft. It was however convinced that despite the conclusion of several conventions to suppress or prevent various aspects of international terrorism, that phenomenon would not disappear until its root causes had been eradicated.

68. Mr. ALEXANDROV (Bulgaria) said that the Bulgarian Government had always condemned acts of terrorism which took or endangered innocent human lives.

69. The adoption of effective measures to prevent international terrorism had in the past few years assumed not only legal but also political significance. Recent events had unambiguously demonstrated how acts of terrorism could become powerful instruments for propaganda and for the manipulation of world public opinion and could serve to justify actions contravening contemporary international law and the basic principles of inter-State relations. The objectives of such propaganda campaigns and the selection of their time, means and targets led people to ponder whether the basic goal of some acts of terrorism was not to discredit the Government of another State.

70. Besides their negative impact on the normal development of inter-State relations and on international co-operation, acts of international terrorism also

/...

(Mr. Alexandrov, Bulgaria)

caused suffering and took innocent human lives. The victims were not only their targets but also those who were unjustly accused, persecuted and punished for their commission. That aspect of the problem must not be underestimated.

71. The Bulgarian Government, which condemned all forms of terrorism attached paramount importance to efforts to prevent and control that phenomenon. However, the outrage prompted throughout the world by acts of terrorism was used for political propaganda purposes to fan up antagonism and hatred against peoples, States and groups of States. Such terrorist acts were also used as a pretext for detaining and molesting innocent citizens of another State. It was the duty of the international community to make a clear distinction between acts of international terrorism and the clandestine manoeuvres of those who, while parading as victims of terrorism, were sowing hatred and animosity. Such a distinction would contribute to the effective prevention of international terrorism.

72. Some speakers had referred to specific acts of terrorism and levelled accusations against other States, taking false allegations as a basis and distorting facts. His delegation believed that such statements, which seemed to be the continuation of a slanderous campaign, were not conducive to serious consideration of the question of terrorism.

73. As a result of consultations among delegations representing the various groups, a draft resolution had been prepared. His delegation fully supported that draft and believed that its main elements constituted a sound basis for further consideration of the item.

74. Mr. MAHONEY (Gambia) said that terrorism constituted a flagrant violation of the principles of good-neighbourliness and peaceful coexistence and was therefore a threat to the international community's very existence. In addition to cruelly snuffing out the lives of innocent people, terrorism jeopardized international peace and security. The adoption of a number of international instruments designed to eliminate it was therefore to be welcomed. It should be borne in mind in that connection that, under the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, every State had the duty 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 its territory directed towards the commission of such acts.

75. Despite that prohibition, some abominable terrorist acts had been committed in the past year, culminating in the murderous attack that had taken place on 9 October 1983 at Rangoon, which had claimed the lives of a number of the members of the Government of the Republic of Korea and a large number of other innocent people. His delegation strongly condemned that attack and all terrorist acts of that type.

76. His delegation had supported the recommendations submitted by the Ad Hoc Committee on International Terrorism in its report to the General Assembly at its

(Mr. Mahoney, Gambia)

thirty-fourth session, concerning practical measures relating to co-operation to be adopted with a view to eliminating swiftly the problem of international terrorism. However, owing to the increase in the number of international acts of terrorism perpetrated, it might be necessary to supplement the existing body of international law in the area of terrorism, and his delegation was therefore willing to support any initiative aimed at preparing another international instrument with a view to eliminating that scourge.

AGENDA ITEM 134: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)
(A/38/33, A/38/61-S/15549, A/38/106-S/15628, A/38/132-S/15675 and Corr.1 and 2, A/38/253, A/38/288, A/38/343, A/38/358, A/38/367 and Corr.1, A/38/415, A/38/425, A/38/454; A/C.6/38/L.14)

77. Mr. EL ARABY (Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization) said that in the debate in the Sixth Committee on the report of the Special Committee some delegations had expressed a certain amount of concern, since they were under the impression that a majority of the members of the Special Committee wished to change the balance established among the various United Nations organs by the Charter. He was convinced that the delegation that would formally introduce draft resolution A/C.6/38/L.24, under agenda item 134 would not fail to stress that the draft's sponsors had no intention whatsoever of upsetting the balance achieved among the organs of the United Nations and that they simply wished to strengthen those organs so that they would be better able to fulfil their role. The draft resolution, which was the outcome of consultations and negotiations conducted in good faith, provided that priority should be given to the question of the maintenance of peace, and it was to be hoped that at its following session the Special Committee would focus its work on that question, which naturally did not mean that it would not pay due attention to other topics. Although in the past two years the draft resolution on the Special Committee on the Charter had not commanded unanimous support, he hoped that at the current session the situation would be different and that the General Assembly would be able to adopt the draft by consensus.

78. Mr. ROSENSTOCK (United States of America) said that, while he recognized the objectivity of the statement made by the Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, he wondered whether the Sixth Committee's practice of giving the floor twice to the chairmen of bodies whose reports it had before it, namely, once when the report was introduced and again at the end of the debate, was justified. Although that practice was not entirely new, it had been consistently followed in the course of the current session, and it would therefore seem that the Committee ought to adopt a decision on that particular issue.

79. The CHAIRMAN said that the rules of procedure gave the Committee absolute freedom to establish such practices, as it saw fit. Moreover, he had considered it both desirable and appropriate to give the floor to the Chairman of the Special Committee on the Charter, and he did not believe that the Committee had been particularly inconvenienced as a result.

/...

AGENDA ITEM 133: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY
(A/38/26)

80. Mr. MOUSHOUTAS (Chairman of the Committee on Relations with the Host Country) said that chapters I and II of the report on the Committee's establishment, terms of reference and membership, were virtually identical to the corresponding chapters in the previous report. The following substantive questions were considered in chapter III: A. Question of the security of missions and the safety of their personnel; B. Consideration of, and recommendations on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations; C. Transportation: use of motor vehicles, parking and related matters; D. Public relations of the United Nations community in the host city and the question of encouraging the mass media to publicize the functions and status of permanent missions to the United Nations; E. Comments and suggestions on the organization of the Committee's work.

81. As in previous years, the section on the security of missions dealt with the incidents that had occurred over the past year and gave a detailed summary of all the communications received by the Committee in that connection. That section also contained summaries of the statements made by the representatives of Member States at meetings of the Committee, as well as summaries of the replies made by the Government of the host country.

82. The Committee had adopted a set of recommendations, which were reproduced in chapter IV of the report, and it was to be hoped that the Committee would wish to propose that the General Assembly should adopt them, as in previous years.

83. For the first time, there were two annexes to the report. Annex I consisted in a note in which the Legal Counsel gave a legal opinion on the United States Foreign Missions Act, as requested by the Committee upon the enactment of that law. Annex II contained a complete list of the documents of the Committee distributed in the course of the period covered by the report.

OTHER MATTERS

84. Mr. ROMANOFF (Secretary of the Committee) announced that the delegations of Bangladesh and Belgium had joined the sponsors of draft resolution A/C.6/38/L.24 on the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization and that the delegation of Madagascar had joined the sponsors of draft resolution A/C.6/38/L.22 on the report of the International Law Commission.

The meeting rose at 1.05 p.m.