



General Assembly

Sixty-third session

Official Records

Distr.: General
30 October 2008

Original: English

Sixth Committee

Summary record of the 3rd meeting

Held at Headquarters, New York, on Wednesday, 8 October 2008, at 3 p.m.

Chairperson: Mr. Al Bayati (Iraq)

later: Ms. Rodríguez-Pineda (Vice-Chairperson)..... (Guatemala)

Contents

Agenda item 99: Measures to eliminate international terrorism (*continued*)

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 corrigendum for each Committee.

08-54050 (E)



The meeting was called to order at 3.05 p.m.

Agenda item 99: Measures to eliminate international terrorism (*continued*) (A/63/37, A/63/89, A/63/123, A/63/173 and Add.1, A/63/281-S/2008/431)

1. **Mr. Natalegawa** (Indonesia) said that Indonesia had undertaken many initiatives in accordance with the Declaration on Measures to Eliminate International Terrorism. At the domestic level, it had enacted a counter-terrorism law on the investigation, prosecution and punishment of acts of terrorism, including the financing of terrorism, and had upgraded the counter-terrorist capabilities of its law enforcement agencies. More than 410 suspects had been arrested since the terrorist bombings in Bali in 2002; 269 of them had been convicted, while the remaining cases were still before the judiciary.

2. Indonesia had also enhanced its cooperation at the bilateral, regional and multilateral levels. It had concluded bilateral counter-terrorism cooperation agreements with several countries, in particular its immediate neighbours. It had also spearheaded regional cooperation in law enforcement, border control and the enactment of legislative frameworks for counter-terrorism, such as the Bali Counter-Terrorism Process. The Jakarta Centre for Law Enforcement Cooperation, set up by Indonesia and Australia, had provided structured training for law enforcement officers in the region.

3. Indonesia had also been instrumental in the conclusion of the Convention on Counter-Terrorism of the Association of Southeast Asian Nations (ASEAN), which was a key example of the Association's contribution to strengthening global efforts to combat terrorism through preventive measures such as promoting interfaith and intra-faith dialogue, raising awareness, addressing the root causes of terrorism and fostering deradicalization. ASEAN members had cooperated with the ASEAN dialogue partners in order to implement the Convention. At the multilateral level, Indonesia had promoted the implementation of the sanctions regime established pursuant to Security Council resolution 1267 (1999) and had advocated fair and clear procedures for protecting the rights of individuals affected by the regime.

4. Coordinated measures should be taken by all stakeholders in order to address the conditions conducive to the spread of terrorism and to strengthen

the role of the United Nations system in that regard. In addition, the fight against terrorism must be based on respect for human rights and the rule of law. Only such an all-embracing approach would make it possible to combat terrorism effectively.

5. His delegation welcomed the progress made in 2008 by the Ad Hoc Committee established by General Assembly resolution 51/210 with regard to the draft comprehensive convention on international terrorism. It supported the convening of a working group of the Sixth Committee to continue the Ad Hoc Committee's work with a view to finalizing the draft convention by the end of the year. It also reiterated the need to convene a high-level conference to address the many issues relating to terrorism, in particular its root causes, the relationship between the ends and the means of combating terrorism, and the need to ensure respect for the rule of law and human rights. Such a conference could also identify practical ways of strengthening the role of the United Nations in the fight against terrorism.

6. **Ms. Blum** (Colombia) said that her delegation welcomed the progress made in implementing the United Nations Global Counter-Terrorism Strategy. The recent review of the Strategy, together with the symposium on supporting victims of terrorism, had represented an important milestone as well as an opportunity to acknowledge the long road that still lay ahead. The international community should redouble its efforts to combat the scourge of terrorism, in particular by pursuing the negotiations on the draft comprehensive convention and by convening a high-level conference on terrorism.

7. Colombia had made significant progress in combating paramilitary and guerrilla activity. More than 48,000 members of criminal organizations had been demobilized in the past six years and were taking part in the Government's reintegration programmes. At the same time, significant progress had been made in the field of human rights. A policy of human rights protection and implementation of international humanitarian law had been instituted in the armed forces, whose members were required to complete training in those areas. As a result, complaints against the security forces had decreased exponentially across the country.

8. As announced by the President of Colombia in his recent statement in the Assembly's general debate,

Colombia would be submitting voluntarily to a review in December 2008 of its fulfilment of its human rights obligations under the new universal periodic review mechanism, which would contribute to the national public debate on the subject and the country's work with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Organization of American States (OAS). Colombia had also made significant progress with regard to the protection of the rights of victims of terrorism and their families through a policy of truth, justice and reparation.

9. Through its Democratic Security Policy, Colombia had re-established the State's monopoly on weapons and law enforcement. As a result, citizens felt safer to report crimes, assert their rights and work jointly with the State. Colombia now had entrenched institutional strength and an increasingly robust democracy, which had been reinforced by policies that favoured economic prosperity and social justice. That process had been supported by the international community, and she hoped that that support would continue.

10. One of the highest priorities in that regard was the joint fight against terrorism, including the following actions: measures to eliminate money-laundering and drug trafficking; a determined effort by all States to avoid giving refuge to members of terrorist groups; the sharing of intelligence information in order to dismantle transnational terrorist networks; and the elaboration of international legislation commensurate with the threat posed by terrorism to the stability of all States. Only through a firm commitment would it be possible to rid the world of a scourge that had claimed many lives and caused much suffering, and to bequeath a more stable, secure and peaceful world to future generations.

11. **Mr. Sen** (India) said that, among all the measures being taken to eliminate international terrorism, his delegation particularly appreciated the growing role of the United Nations Office on Drugs and Crime (UNODC), especially its technical assistance activities at the national, subregional and regional levels with the aim of strengthening the legal regime against terrorism. India was a party to 13 major international instruments against terrorism. It also attached utmost importance to the fulfilment of its obligations under the relevant United Nations resolutions and had submitted five reports to the Counter-Terrorism Committee. It used

various tools in its efforts to combat terrorism, including laws that criminalized terrorism and related acts; monitoring of financial flows; legislation on dual-use goods; surveillance methods governed by law; and traditional police investigation work. Terrorist networks could be challenged only through concerted international cooperation with regard to extradition, prosecution and information flows. India was engaged in such efforts at both the regional and the bilateral levels.

12. While the international conventions on terrorism focused on the protection of human rights and fundamental freedoms in counter-terrorism efforts, the Global Counter-Terrorism Strategy for the first time addressed the needs of victims of terrorism. In that regard, he welcomed the recent symposium on supporting victims of terrorism, which had allowed victims' voices to be heard. In addition, the wide participation of Member States in the recent review of the implementation of the Strategy had demonstrated the importance they attached to the Strategy in particular and to combating terrorism in general. He hoped that the institutionalization of the Counter-Terrorism Implementation Task Force would strengthen cooperation and coordination among the different United Nations entities. In that regard, the proposed integrated implementation initiative would help to avoid duplication. At the same time, Member States bore the primary responsibility for implementing the Strategy, which should help them to unite in the fight against terrorism through practical cooperation measures.

13. While the Strategy was important, the General Assembly's inability to reach agreement on the draft comprehensive convention limited the impact of its counter-terrorism efforts. At the previous session, a text had been presented with a view to addressing the outstanding concerns of certain delegations regarding the exercise of the right of peoples to self-determination, State terrorism, the potential impunity of military forces and the distinction between matters to be covered by the new convention and those covered by humanitarian instruments. Thereafter, no additional concerns had been raised. If any still remained, they should be clearly delineated. If not, he urged Member States to adopt the package presented with a view to concluding the negotiations on the draft convention.

14. The adoption of the draft convention was in the interests of all Member States and would reinvigorate

the multilateral dimension of counter-terrorism efforts. In an era of unrestrained violence against innocent civilians and United Nations personnel and premises, expeditious action was urgently needed.

15. **Mr. Maema** (Lesotho) said that his country had taken a wide range of measures to prevent and combat terrorism and had ratified seven of the international conventions and protocols on that subject, including the International Convention for the Suppression of Acts of Nuclear Terrorism. Both the 2005 World Summit Outcome and the Global Counter-Terrorism Strategy emphasized the importance of concluding a comprehensive convention on international terrorism. There could be no justification for terrorism, and the international community should unite to combat it. Such efforts must be conducted in conformity with all aspects of international law and on the basis of respect for human rights and the rule of law. The international community had shown its strong commitment to tackling terrorism by adopting the Strategy and 16 counter-terrorism conventions and protocols.

16. Terrorism was a global menace that required a global response. The role of the United Nations was key, and its Member States should continue to show unity and resolve in that regard. Lesotho was committed to cooperating with the Security Council committees that dealt with the threat of terrorism and to complying with the relevant resolutions. It would appreciate technical assistance in fulfilling its obligations in that regard.

17. The enhanced cooperation of the international community had brought progress in the fight against terrorism. However, long-term success could be achieved only if conditions conducive to the spread of terrorism, including unresolved conflicts, were addressed. Moreover, international law, human rights law and international humanitarian law, including due process and the rule of law, must be respected in efforts to combat terrorism.

18. **Ms. Núñez Mordoche** (Cuba) said that Cuba strongly condemned all acts, methods and practices of terrorism in all its forms and manifestations, including those in which States were directly or indirectly involved. Measures to eliminate international terrorism must be based on strict respect for the Charter of the United Nations, the principles of international law and humanitarian international law. They could not be arbitrary and unilateral measures that led to

pre-emptive wars, acts of aggression, covert actions, unilateral sanctions or the politically motivated establishment of lists of countries.

19. It was important to continue working to conclude the draft convention in order to fill the legal lacunae in previous United Nations instruments on the prevention and suppression of international terrorism. The convention should contain a clear and precise definition of the crime of terrorism and should draw a clear distinction between terrorism and the legitimate struggle of peoples to defend their independence and right to self-determination. Its scope of application should include the activities of State armed forces that were not governed by international humanitarian law.

20. All States should implement the Global Counter-Terrorism Strategy. Her delegation welcomed the results of the General Assembly's recent review of the Strategy's implementation and looked forward to greater interaction between the Counter-Terrorism Implementation Task Force and Member States in carrying out the plan of action contained in Assembly resolution 60/288.

21. Cuba had never allowed and would never allow its national territory to be used to carry out, plan or finance terrorist acts against any other State. It had been one of the first three countries to ratify 12 of the international instruments on international terrorism and was currently in the process of becoming a party to the International Convention for the Suppression of Acts of Nuclear Terrorism. It had also enacted a general law and adopted non-legislative measures to combat terrorism, and it had complied fully with Security Council resolution 1373 (2001).

22. The Government of the United States of America, resorting to psychological and political terrorism, had included Cuba on its list of States that supposedly sponsored international terrorism. At the same time, however, in Miami and other cities of that country, funds were being provided and collected to finance terrorist activities, terrorists were being recruited, weapons were being supplied and safe haven was being given to individuals who financed, masterminded, and committed terrorist acts against Cuba.

23. The United States continued to refuse to comply with its international obligation either to try the notorious terrorist Luis Posada Carriles or to extradite him to the Bolivarian Republic of Venezuela to face charges. Posada Carriles had been responsible for the

mid-air bombing of a Cuban airliner in 1976, a crime which had claimed the lives of 76 innocent civilians, and had been involved in dozens of plans, financed by the United States Government, to assassinate former Cuban president Fidel Castro. May 2008 had marked the one-year anniversary of his release from custody in the United States. Posada Carriles was currently free and faced no charges, although the United States Government itself had acknowledged his long record of criminal activities and acts of violence and had stated that his release would pose a risk to the country's national security.

24. Orlando Bosch, another of the persons responsible for the downing of the Cuban airliner, also enjoyed total freedom in Miami and boasted publicly about his numerous terrorist acts against Cuba. Meanwhile, five Cuban heroes remained incarcerated in the United States, their sole offence being that they had fought against the terrorism perpetrated against Cuba from the United States and tolerated by the authorities of that country, a situation which called into question President Bush's statement that any nation that harboured a terrorist would be considered guilty of terrorism itself. But perhaps there was a double standard for classifying terrorists, or perhaps terrorism could be tolerated and regarded as good if it was being perpetrated against the Cuban people. It was clear that the legacy of the current United States administration in the war against terrorism would be one of hypocrisy and lack of political will.

25. Terrorism must be rejected in all circumstances, and impunity and double standards must be avoided by all means. States should work together more closely in fighting the scourge of terrorism, based on respect for sovereignty and non-interference in the internal affairs of other States. Selectivity and the base desire of some powerful countries to take over territories to satisfy their insatiable hunger for strategic resources must cease.

26. **Mr. Liu Zhenmin** (China) said that recent terrorist attacks demonstrated that terrorism remained a grave challenge to the international community. Eliminating it would not only help to protect people's lives and property but would also contribute to international peace and security. International cooperation to combat terrorism should be strengthened, in strict compliance with the Charter of the United Nations and the principles of international law. Double standards and attempts to link terrorism

with a specific civilization, ethnic group or religion should be avoided. Moreover, parallel efforts both in prevention and in punishment were required, with particular emphasis on prevention.

27. His delegation welcomed the international legal framework for the elimination of terrorism that had taken shape. The international community should continue its efforts to improve that framework, including by finalizing the draft comprehensive convention. He hoped that countries would show the political will to find a solution to the outstanding problems as soon as possible. His Government also supported the proposal to convene a high-level conference to provide policy guidance on international legal cooperation in combating terrorism.

28. China had acceded to 11 United Nations conventions on terrorism and had started the domestic procedures for ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism and of the Amendment to the Convention on the Physical Protection of Nuclear Material. In terms of domestic legislation, it had amended its Criminal Code to provide for the punishment of terrorist crimes and had adopted an Anti-Money-Laundering Act, which had come into force in January 2007. The possibility of formulating comprehensive counter-terrorism legislation was under consideration. In addition, his Government had concluded 102 treaties on extradition and judicial assistance with 58 countries; to date, 79 of them had come into effect.

29. In 2008, China had successfully hosted the Olympic Games in Beijing. Despite attempts by terrorist forces to disrupt the Games, his Government had taken effective preventive measures such as the preparation and dissemination of a citizens' anti-terrorism handbook and the holding of the "Great Wall V" anti-terrorism exercise. Efforts to collect terrorism-related information had been stepped up and several terrorist plots had been foiled. As a result, the goal of holding a safe Olympic Games had been achieved. His Government thanked all the countries and international organizations that had supported its counter-terrorism endeavours and would continue to work with them to combat international terrorism and maintain international peace and security.

30. **Mr. Al-Sheikh** (Yemen) said that concerted international efforts to eliminate terrorism were now more vital than ever before. Terrorism, which he

roundly condemned, was unrelated to any race, culture or religion, least of all Islam, for which tolerance was the keystone. On the contrary, it sprang from the fertile ground fed by misconceptions concerning other ethnicities and beliefs, for example, and by such phenomena as poverty, human rights failures and lack of education. Legal instruments notwithstanding, its causes would not be eradicated unless it was first clearly distinguished from the right of peoples to resist occupation.

31. Yemen was seeking to strengthen intercultural dialogue and had also adopted a counter-terrorism strategy designed, *inter alia*, to foster tolerance and protect young people from extremist influences. It nevertheless continued to suffer, including economically, from terrorist activities conducted on its soil, the most recent example of which was the thwarted attack on the United States embassy in San`a. Consequently, in addition to pursuing counter-terrorism measures in conformity with international law, it was enacting anti-terrorism legislation and had concluded various bilateral and multilateral agreements on the subject of terrorism. It was moreover fully committed to the common fight against terrorism, in which context it supported the Saudi Arabian proposal for the establishment of a counter-terrorism centre under United Nations auspices. It had also acceded to nine international counter-terrorism conventions and was on the verge of ratifying a further three. As for the draft comprehensive convention, efforts to overcome the difficulties impeding its finalization would be furthered by the convening of an international conference on terrorism. It was essential, however, to review the draft convention periodically in the light of developments in the international arena.

32. **Mr. Butagira** (Uganda) said that Uganda condemned terrorism in all its forms and manifestations. His delegation commended the work of the Security Council Committee established pursuant to resolution 1540 (2004) in preventing terrorists from acquiring weapons of mass destruction. Unfortunately, the Committee's efforts were being seriously undermined by the reprehensible dumping of toxic waste material, as had occurred off the coast of Somalia. That toxic waste could easily constitute an arsenal for terrorists in their quest for weapons of mass destruction. The recent escalation of piracy along the coast of Somalia posed an additional threat to the fight against terrorism, as piracy, which Uganda regarded as

a form of terrorism, could be used as a conduit for delivering arms to terrorist groups.

33. In order to succeed in the fight against terrorism, States must be prepared to take hard decisions, including establishing a comprehensive definition of terrorism. Terrorism was a cancer, which must be identified, and the conditions under which it thrived, removed. Uganda called on the international community to address the root causes of terrorism, which was the only way to eradicate it.

34. **Mr. Shautsou** (Belarus) said that terrorism could not be justified, no matter what its objectives. It could be eliminated only through collective measures at the global and regional levels. Belarus was a party to 13 international instruments on combating terrorism and was in favour of forming the broadest possible coalition against terrorism. In addition, it considered it unacceptable for human rights or the sovereignty or territorial integrity of independent States to be violated on the pretext of combating terrorism. Such actions not only provoked terrorists to commit further acts of terrorism but also undermined the foundations of the international legal order.

35. Belarus commended the work of the Counter-Terrorism Committee, which had greatly strengthened the capacity of the United Nations to combat terrorism, and strove to cooperate constructively with all three Security Council committees involved with the fight against terrorism. At the same time, the role of the General Assembly, as the main representative and deliberative body of the United Nations, should be strengthened. The Assembly could make an important contribution by finalizing the draft comprehensive convention. Belarus hoped for swift consensus on the draft and, in that regard, stood ready to support the work of the Ad Hoc Committee established by General Assembly resolution 51/210.

36. A distinction must be drawn in the draft convention between terrorism and the struggle of nations for self-determination, in strict compliance with international humanitarian law, for example by providing in the preamble for the need to ensure the observance of humanitarian law in counter-terrorist activities. However, the draft convention could not and should not replace the norms of international humanitarian and criminal law. If consensus could not be reached within the Ad Hoc Committee, other law-making forums, including those engaged in the

progressive development of international humanitarian law, should be used.

37. Belarus was in favour of convening a high-level conference on counter-terrorism under United Nations auspices, irrespective of the outcome of the work on the draft convention. Such a conference would provide an opportunity for expert consultations on the draft as well as for discussion of other topical issues relating to counter-terrorism.

38. Belarus was committed to cooperating in the fight against terrorism not only at the global level but also at the regional level. Counter-terrorism exercises of the Commonwealth of Independent States (CIS) had taken place in Belarus as part of the Bastion Anti-Terror 2008 operation. The country had also hosted a gathering of heads of counter-terrorism units from the security agencies and special services of CIS States.

39. Belarus was working towards the establishment of a European security area. However, even though Belarus was in the centre of Europe, it did not have access to the mechanisms of the Council of Europe for cooperation against organized crime and terrorism, since the relevant treaties were closed. The European security area would be more effective with Belarus's participation. The relevant international treaties adopted by regional international organizations should therefore provide for easier access for all States in the region in question to the cooperation mechanisms established in them.

40. **Mr. Hannesson** (Iceland) said that terrorism was a global problem to which all individuals, organizations and States were susceptible. The heinous attack on the United Nations offices in Algiers in December 2007 had been a fresh reminder of how present the danger was. Iceland unequivocally condemned terrorism in all its forms and manifestations. Terrorism called for resolute global responses. The adoption of the Global Counter-Terrorism Strategy in 2006 had been a welcome achievement, and the reaffirmation of the Strategy and review of its implementation in September 2008 represented an important step towards a more effective and better coordinated response by the international community to terrorism. Ultimate responsibility for implementing the Strategy, however, lay with Member States. The Strategy must remain a living instrument in order to be able to guide Member States' responses to changing circumstances. It complemented the

international and regional conventions and protocols relating to terrorism, which together constituted an arsenal for fighting the various aspects of the phenomenon. In order for those conventions to be effective, all States must become parties to them. Iceland was a party to 13 of the universal legal instruments to prevent terrorist acts and to the European Convention on the Suppression of Terrorism.

41. He commended the efforts of the Counter-Terrorism Implementation Task Force in support of Member States. He also welcomed the work of the Ad Hoc Committee established by General Assembly resolution 51/210 and was confident that consensus could be reached in the near future on the draft comprehensive convention. The work of the Security Council and its subsidiary bodies, particularly the Counter-Terrorism Committee, was also of fundamental importance in harmonizing Member States' efforts in the fight against terrorism. His delegation looked forward to more transparency, closer cooperation and more effective implementation of the various Security Council resolutions on the subject.

42. Much had been done to counter terrorism and protect international peace and security. Nevertheless, terrorist acts continued to be committed. Member States must therefore renew their collective efforts and resolve to thwart terrorist acts and bring the perpetrators to justice, while at the same time ensuring respect for the rule of law and human rights, international humanitarian law and refugee law. Iceland remained committed to those fundamental principles of the United Nations and was convinced that they constituted the key to success in the fight against international terrorism.

43. **Ms. Kasyanju** (United Republic of Tanzania) said that terrorism remained a major threat to international peace and security, and that combating it should be a top priority for the international community. Her Government had commemorated the tenth anniversary of the August 1998 terrorist bombing in Dar es Salaam by pledging to work more closely with all stakeholders and with the international community at large in the global war against terrorism. The United Republic of Tanzania was a party to nine of the United Nations legal instruments relating to terrorism and was in the process of ratifying the remaining ones.

44. Her Government had been honoured to participate in the Secretary-General's symposium on supporting victims of terrorism, held in New York on 9 September 2008. It had been able to share its experience and to learn from the experiences of other Governments and victims, in particular with respect to the need to provide legal and material assistance to victims of terrorism, with the guidance and facilitation of the United Nations.

45. Tanzania continued to attach great importance to the early adoption of a comprehensive convention on international terrorism, and called upon Member States to exercise the necessary flexibility in order to achieve consensus on the draft convention. Her delegation commended the Coordinator of the draft convention for her tireless efforts aimed at overcoming the remaining differences and supported bilateral consultations focusing on outstanding issues. Tanzania also supported the convening of a high-level conference under the auspices of the United Nations to formulate a joint coordinated response from the international community to international terrorism.

46. She noted with satisfaction that the Global Counter-Terrorism Strategy had promoted comprehensive and coordinated approaches at the national, international and regional levels to counter terrorism, and welcomed the initiative of the Secretary-General to institutionalize the Counter-Terrorism Implementation Task Force within the Secretariat. Her delegation called on the United Nations to employ its comparative advantages in mobilizing international assistance for developing countries in order to build their capacity to prevent terrorism. States must also do their part and make effective use of the assistance provided.

47. Terrorism was a mutating phenomenon, and it was therefore necessary to adapt counter-terrorism strategies and tactics accordingly in each country or region. Tanzania had put in place the necessary legislative and regulatory framework and policies for identifying and bringing to justice those responsible for terrorist attacks. It was currently closing legal loopholes in order to safeguard human rights, which must be respected by all countries in the pursuit of security and the response to the challenges of terrorism.

48. **Mr. Kim Hyun Chong** (Republic of Korea) said that terrorism continued to plague countries across the

globe, despite a series of recent efforts by the international community. His delegation joined others in strongly condemning international terrorism. Terrorist activities were being carried out in an increasingly clandestine and sophisticated manner, a situation which called for a more coherent and effective response from the international community. Without comprehensive efforts at the global level, elimination of terrorism would remain an elusive goal. The Global Counter-Terrorism Strategy provided an important framework for such efforts, and his delegation reaffirmed its strong support for the Strategy.

49. A comprehensive convention on international terrorism should be adopted to fill the gaps left by existing counter-terrorism conventions and to provide a solid basis for the promotion of international cooperation. The differences in Member States' viewpoints had been identified, and it was now time to make a serious attempt, with the same spirit of flexibility and compromise shown in the negotiation of other conventions, to nail down the remaining contentious issues.

50. The United Nations and other international forums had helped to combat terrorism by creating international norms on counter-terrorism and providing a platform for the identification and discussion of related issues. Counter-terrorism capacity-building assistance could be provided more efficiently if it were coordinated by the United Nations. Each Member State also had a crucial role to play in eliminating international terrorism. A network of international norms could not ensure the elimination of terrorism unless Member States complied with them. The Republic of Korea was a party to 12 of the anti-terrorism conventions and protocols and had implemented them faithfully. It was a signatory to the International Convention for the Suppression of Acts of Nuclear Terrorism and would ratify it as soon as the necessary domestic procedures had been completed. In addition, the country had enacted counter-terrorism laws and regulations and put in place other relevant measures. The Republic of Korea would continue its counter-terrorism efforts in coordination with the international community.

51. **Mr. Adi** (Syrian Arab Republic) said that terrorism was to be unequivocally condemned as a criminal act of aggression against innocent victims and a violation of the sovereignty, unity and territorial

integrity of States. As such, it called for joint international action based on a clear legal definition that distinguished the crime of terrorism from legitimate national struggles for liberation, without which scores of Member States would never have gained their freedom and independence. Since 1986, his country had been calling for an international conference on the subject in the light of its own bitter experience of international terrorism, which still continued; only a few weeks earlier, it had suffered a deadly attack that had attracted universal condemnation.

52. If it were to avoid the same fate as the League of Nations, the United Nations should now more than ever uphold the principles on which it had been founded, in particular that of the right of peoples to freedom, equality and self-determination. To link terrorism with legitimate resistance to foreign occupation was a form of intellectual terrorism designed to subjugate the peoples engaged in such struggles and protect systematic practitioners of State terrorism, such as that conducted by Israel in the Syrian Golan, Palestine and Lebanon.

53. He looked forward to finalization of the draft comprehensive convention on international terrorism, which had been impeded by the lack of political will in certain quarters. Having signed and ratified 10 of the international counter-terrorism conventions, his country was actively pursuing fulfilment of its commitments to combat international terrorism and was also currently considering accession to the remaining three conventions. In addition, it had acceded to various regional conventions on the subject, and the competent national body was cooperating closely with the Middle East and North African Financial Action Task Force (MENAFATF). The arsenal of counter-terrorism instruments nevertheless remained incomplete without a convention on State terrorism, which was terrorism at its most dangerous. In conclusion, he rejected all attempts to link terrorism with any religion, race, culture, language or nationality, adding that the fight against State terrorism should be conducted in conformity with the Charter of the United Nations and with relevant instruments pertaining to international human rights and humanitarian law.

54. **Mr. Al-Otaibi** (Saudi Arabia) said that the counter-terrorism measures adopted by his country, which was a long-suffering target, had pre-empted various criminal activities and helped to dry up sources

of terrorism financing. Counter-terrorism was now a subject of study in higher education; moreover, the successes achieved by the counselling and rehabilitation programmes in place for misguided youth set a useful example for other countries. Saudi Arabia had frequently affirmed its willingness to join in the international efforts to combat and eradicate the causes of terrorism. It had been among the first to accede to the Arab conventions on combating terrorism and it had also acceded to the various international counter-terrorism conventions. In 2005, it had hosted a well-attended international conference on counter-terrorism, the recommendations of which included support for the proposal by its King to establish an international counter-terrorism centre under United Nations auspices. That proposal had since been widely endorsed, and he therefore looked forward to its adoption during the current session. National and regional centres would then be in a position to exchange and update information through a secure central database and consequently intercept terrorists and their organizations with the requisite speed. The centre would also promote technology transfer, training programmes and information exchange in such areas as legislation. He concluded by expressing support for the Global Counter-Terrorism Strategy, which was a means of combating a dangerous international phenomenon that was not confined to any one people, race or religion.

55. **Ms. Sahussarungsi** (Thailand) said that terrorism remained one of the most serious threats to international peace and security and could never be justified on any grounds. Top priority should be given to the conclusion of the draft comprehensive convention on international terrorism in order to fill the gaps left by the current sectoral instruments. Draft article 18 required particular attention. It should be worded in such a way that it did not make changes to international humanitarian law standards or create new ones beyond those existing under customary international law and those set out in the treaties to which the relevant countries were parties. Moreover, the right of self-determination should be interpreted in accordance with the 1993 Vienna Declaration and Programme of Action.

56. The 2007 ASEAN Convention on Counter-Terrorism would facilitate a swift response to threats of terrorism in the region by providing a framework for improved cooperation and information exchange

among the relevant authorities and law enforcement agencies. The Convention also provided that requests for extradition or mutual legal assistance could not be refused on the sole ground that they concerned a political offence of any kind.

57. Thailand attached particular importance to addressing the root causes of terrorism and preventing its financing. Terrorist groups were using increasingly sophisticated means of acquiring money in order to avoid detection. There was an urgent need to ensure that any person who participated in the financing of terrorist acts was brought to justice. To that end, Thailand was currently drafting a Proceeds of Crime Act which contained a comprehensive package of measures designed to disrupt the activities of organized criminal gangs and stem the flow of funds into terrorists' hands.

58. **Mr. Dos Santos** (Mozambique) endorsed the statements made by the representatives of Kenya, Cuba and Pakistan. His delegation condemned international terrorism in all its forms, regardless of place or motive. The threat of international terrorism called for a concerted global response from the entire international community, through multilateral measures in conformity with the Charter of the United Nations and other relevant provisions of international law, especially human rights law, refugee law and international humanitarian law. Such a multilateral approach must be based on both universal and regional legal instruments against terrorism. He welcomed the Global Counter-Terrorism Strategy and the cooperation with other relevant actors in the field of counter-terrorism. Mozambique remained resolute in its own efforts to combat terrorism. It was a party to 12 universal instruments on the subject, as well as other relevant instruments, including the OAU Convention on the Prevention and Combating of Terrorism. It was also ratifying the International Convention for the Suppression of Acts of Nuclear Terrorism. In view of the link between terrorism and international organized crime, it had also ratified the United Nations Convention against Transnational Organized Crime.

59. Recognizing the crucial role of UNODC in helping Member States to implement the Strategy, he welcomed the report of the Secretary-General on the progress made in that respect (A/63/89) and the activities of UNODC in providing technical assistance and capacity-building to developing countries to facilitate their implementation of universal treaties and

other international legal instruments on terrorism. He supported the recommendations in the report, especially concerning the need for increased financial resources from Member States and increased allocations from the regular budget of the United Nations to enable UNODC to meet the growing demand for technical assistance.

60. Welcoming the report of the Ad Hoc Committee (A/63/37), he commended the efforts by its Chairman, members of the Bureau and the Coordinator to conduct consultations aimed at concluding the draft comprehensive convention, which would complement the existing legal framework for combating international terrorism. All States should demonstrate genuine political will and a constructive approach to solving outstanding issues.

61. **Mr. Al-Balushi** (Oman) said that his country had repeatedly condemned all forms of terrorism. Oman attached great importance to the counter-terrorism efforts under way, as demonstrated by its compliance with the relevant Security Council and General Assembly resolutions. It had established a national committee on the subject and acceded to 10 international counter-terrorism conventions. A precise definition of terrorism was essential, however, to the conclusion of a comprehensive convention on the subject. It was similarly important to identify and address the underlying causes of terrorism and its motives, as well as differentiate between terrorism and the legitimate right of peoples to resist foreign occupation. In those contexts, periodic review of the Global Counter-Terrorism Strategy was essential. Terrorism posed a universal threat, and to link it with a specific religion, race or creed would be to fuel hatred and violence among cultures and religions. His Government favoured the convening of a high-level conference and supported the proposal to establish an international counter-terrorism centre under United Nations auspices. It equally supported the joint international efforts under way to combat terrorism in conformity with international law and the principle of international sovereignty.

62. *Ms. Rodríguez-Pineda (Guatemala), Vice-Chairperson, took the Chair.*

63. **Mr. Chekkori** (Morocco) said that violent terrorist acts in the Maghreb and in the Sahel region during 2008 had clearly shown that terrorism continued to pose a threat to the security of those and

neighbouring regions. National counter-terrorism efforts, while unquestionably important, would remain insufficient unless they were supported by effective regional and international collaboration. The United Nations provided a legitimate international framework for a collective response to terrorism, a transnational scourge which could occur in any society. His delegation rejected any attempt to associate terrorism with any religion, race, nationality or ethnic group. Such stigmatization only served to exacerbate feelings of frustration and to swell the ranks of fanatic and extremist groups.

64. The States Members of the United Nations had developed a legal framework for collective action against terrorism, adopting numerous international instruments that dealt with various aspects of the phenomenon. However, those efforts had generally come in reaction to major terrorist events; they had lacked an anticipatory character, which would have facilitated the response to certain manifestations of terrorism. Member States should make a common commitment to finalize the draft comprehensive convention as soon as possible in order to complete the legal arsenal for counter-terrorism. His delegation reaffirmed its willingness to pursue consultations during the current session with a view to overcoming the obstacles hindering consensus on the text. Those consultations should be marked by the same positive climate and constructive spirit that had characterized the recent review of the implementation of the Global Counter-Terrorism Strategy.

65. His delegation underscored the need for international cooperation in the fight against terrorism and proposed that the foundations should be laid for a joint examination of how to strengthen the capacity of the national services charged with combating it. Morocco reiterated its categorical condemnation of terrorism in all its forms and manifestations and reaffirmed its commitment to international counter-terrorism efforts. As a demonstration of that commitment, in May 2008 Morocco had hosted the Fifth Conference of Ministers of Justice of the French-speaking African Countries on the implementation of the international counter-terrorism instruments, which had finalized a draft convention on extradition and mutual legal assistance in matters related to counter-terrorism. Morocco reiterated its support for the proposals by Saudi Arabia to establish an international counter-terrorism centre, by Egypt to convene a high-

level conference and by Tunisia to develop an international counter-terrorism code of conduct.

66. **Ms. Negm** (Egypt) expressed confidence that the political will was now sufficient to bring the negotiations on the draft convention to a swift conclusion. Condemning all forms of terrorism, she underscored the importance of tolerance and the avoidance of any link between terrorism and a particular religion or culture, not least since the resulting hatred could well be exploited to terrorist ends. It was crucial to eradicate the causes of terrorism by, inter alia, eliminating double standards and ending foreign occupation, State terrorism and human rights violations. In that regard, finalization of the draft convention was a vital step towards supplementing the existing counter-terrorism conventions and containing the spread of terrorism.

67. For its part, the Egyptian Government was drafting a new domestic law designed to encompass all terrorist offences. At the regional level, it had also been involved in the drafting of a recently adopted convention on extradition and mutual legal cooperation, in addition to two Arab conventions, the first on money-laundering and terrorism financing, and the second on cybercrimes, with particular reference to use of the Internet in terrorism-related offences. At the international level, Egypt was engaged in bilateral and multilateral efforts to fight terrorism, in which context capacity-building for developing countries was an important consideration.

68. As for draft article 18 of the draft convention, either it should be subject to further negotiation or the terrorist acts covered in paragraph 2 should be redefined, with emphasis on the distinction between such acts and legitimate acts under international law carried out by national liberation movements in exercise of the right to self-determination. Acts of State terrorism against innocent civilians should also be criminalized. Egypt was ready to begin another round of negotiations in the interest of reaching agreement on the subject. It also echoed the calls for the convening of an international conference under United Nations auspices, which was vital to achieving a firm definition of terrorism that achieved a distinction between the legal provisions on counter-terrorism and international humanitarian law. Such an achievement would moreover expedite conclusion of the draft comprehensive convention.

69. **Mr. Mikanagi** (Japan) welcomed the recent adoption of General Assembly resolution 62/272, which unequivocally showed that Member States and the United Nations were united in combating terrorism. Japan attached importance to the early adoption of the draft convention, and welcomed the Coordinator's efforts to bridge the gap between Member States. Every Member should exercise the utmost flexibility so that the negotiations could be concluded very soon. The issue of convening a high-level conference should be taken up once agreement had been reached on the draft convention.

70. In an endeavour to consolidate its own legal framework on terrorism, Japan had acceded to 13 conventions and protocols, including the International Convention for the Suppression of Acts of Nuclear Terrorism. Annual seminars had been held in Japan, in cooperation with the Terrorism Prevention Branch of UNODC, to promote accession to the various instruments. He called on Member States which had not yet acceded to them to do so as soon as possible.

71. **Mr. Min** (Myanmar) endorsed the statements by the representatives of Cuba and Viet Nam. Terrorism posed a serious challenge which must be countered by the concerted efforts of the entire international community. However, the root causes of terrorism must be addressed, and the measures taken to combat it must be in conformity with international law. Acts of terrorism must not be attributed to any particular religion, race, culture or ethnic group. He commended the work done to combat terrorism through the United Nations system and INTERPOL, and by members of the Counter-Terrorism Implementation Task Force.

72. Myanmar appreciated the efforts made by the Ad Hoc Committee to finalize the draft comprehensive convention. He hoped the remaining differences between Member States on the scope of the convention would be resolved during the current session of the General Assembly.

73. Myanmar took an unequivocal stand against terrorism in all its forms. It was party to 11 instruments against terrorism, and had submitted five reports to the Security Council Committee established pursuant to resolution 1373 (2001). The measures adopted by Myanmar to combat terrorism covered areas such as the prevention and suppression of terrorist acts, border control, aviation and maritime security. In order to be effective, a counter-terrorism strategy must deny

terrorists access to resources. Likewise, effective measures against money-laundering and terrorist financing were of utmost importance. It was most regrettable that Myanmar, notwithstanding its commitment to combating terrorism in all its forms, had initially been included in the list of Non-Cooperative Countries and Territories (NCCT). That had been done to meet the political objectives of certain countries. In 2006, following an objective assessment, Myanmar had been deleted from the list.

74. Myanmar had itself been subjected to terrorist acts in which innocent lives had been lost. Its armed forces and security forces had been taking effective action against the terrorists. It had also taken bilateral action, establishing a liaison office at the border with China. Similar offices were planned on the borders with India and Thailand.

75. In the regional context, Myanmar had become a signatory to the ASEAN Convention on Counter-Terrorism, and had participated in the ASEAN meetings on combating terrorism. The Asia/Pacific Group on Money Laundering had met in Myanmar in January 2008, and its report on the mutual evaluation process to counter money laundering had been ratified by the Group in July.

76. **Mr. Djedje** (Côte d'Ivoire), welcoming the report of the Ad Hoc Committee (A/63/37) said he agreed with the statements by the representatives of Kenya and Cuba. As a State emerging from a lengthy politico-military crisis, Côte d'Ivoire condemned international terrorism in all its forms, as a threat to international peace and security as well as to human life and dignity and the consolidation of democracy. The ongoing efforts to finalize the draft convention must be stepped up. The struggle against terrorism must be conducted in strict conformity with international law, especially the Charter of the United Nations and international instruments relating to international humanitarian law, international refugee law and human rights law. The underlying causes of the phenomenon must also be addressed, and efforts to bring about tolerance among peoples and dialogue among civilizations must be encouraged. There were many issues to be resolved concerning the definition of terrorism, the relationship between means and ends in the fight against terrorism, and respect for the primacy of law and human rights. Those issues would require substantial concessions in various quarters. He was however confident that if

such concessions were made at a high-level conference, a balanced compromise could be achieved.

77. **Mr. Sin Son Ho** (Democratic People's Republic of Korea) endorsed the statements by the delegations of Cuba and Viet Nam. Terrorist acts continued to destabilize society, threaten lives and undermine international peace and security. Under the pretext of "counter-terrorism", justifications were often advanced for acts of terrorism which infringed the sovereignty of other States and gravely violated human rights. The United Nations must review its anti-terrorist activities and put an early end to State terrorism, which, in seeking to overthrow legitimate Governments, merely resulted in fresh cycles of terrorism. Typical examples of State terrorism were the invasions of Afghanistan and Iraq by the United States and its continued campaign of counter-terrorism in those countries, accompanied by intolerable human rights violations. Innocent civilians, including children and women, were still being massacred, and many people were being made homeless. The international community should be aware of the seriousness of State terrorism. Counter-terrorism operations must be conducted in accordance with the purposes and principles of the Charter of the United Nations and of international law. No State must be allowed to conduct such operations for its own political and economic purposes. The draft convention must provide for the means of eliminating State terrorism.

78. The root causes of terrorism included exploitation, poverty and social inequality. To eliminate them, priority should be given to establishing fair international relations based on mutual respect, equality, friendship and cooperation among nations, to enable them fully to exercise their rights of sovereignty and development. His delegation supported the idea of convening a high-level international conference. His own Government had consistently opposed terrorism in all its forms and had strictly refrained from supporting it. It had acceded to the international counter-terrorism conventions, had fully implemented its obligations under them and would continue to strive for the complete elimination of terrorism.

79. **Mr. Chong** (Singapore) associated his delegation with the statement made by the representative of Viet Nam. The threat posed by terrorism was unabated, as evident from recent incidents in the United Kingdom and in Iraq, Afghanistan and elsewhere. According to *The Washington Post*, in 2007 there had been 658

suicide bombing attacks, more than double the number in any of the previous 25 years. Terrorists were increasingly working in networks of cells, groups and individuals spread throughout the world. Transnational terrorism was a security challenge for all Governments, and all countries must cooperate in combating it. His own Government had adopted a networked approach to fighting the terrorist threat, bringing together different agencies and drawing upon their various strengths.

80. Singapore was working to counter extremist ideology by relying on members of all its religious communities to combat misrepresentations of religion. It had apprehended several members of the Jemaah Islamiyah group in the process of planning terrorist acts, and they had subsequently been counselled on the proper interpretation of Islam by Muslim clerics belonging to the Religious Rehabilitation Group (RRG), which also reached out to the wider community through forums and publications. A multi-faith convention for young people on terrorism and terrorist ideology had been organized in January 2007 by a voluntary welfare organization, the Taman Bacaan, and a youth camp called "Project Connect" had taken participants to a variety of religious sites and organized an inter-faith forum. In February 2006 the Prime Minister had launched the Community Engagement Programme, in order to strengthen understanding and develop trust among the different ethnic communities in Singapore.

81. The United Nations played an important role in countering terrorism. He welcomed the review by the General Assembly of progress in implementing the Global Counter-Terrorism Strategy. Singapore would continue its cooperation with other Member States in stepping up those efforts. It looked forward to interacting with the Counter-Terrorism Implementation Task Force, and to further progress in discussions on the draft comprehensive convention during the current session of the General Assembly.

82. **Mr. Alehabib** (Islamic Republic of Iran) endorsed the statements made by the representatives of Pakistan and Cuba. His country unequivocally condemned all acts of terrorism and would spare no effort in fighting terrorism. There could be no justification for killing and maiming innocent civilians. Tackling terrorism called for political will on the part of all States and the avoidance of double standards and selective approaches when dealing with terrorist groups. International counter-terrorism efforts must be

organized under the auspices of the United Nations and be conducted in full conformity with the Charter of the United Nations and with international law, international human rights and humanitarian law. In recent years, however, the systematic abuse of counter-terrorism measures had caused serious concern.

83. International cooperation against terrorism would be strengthened by a consensual legal definition, which must be objective and include all forms of terrorism, including State terrorism. It must distinguish clearly between heinous acts of terrorism and the legitimate struggle of peoples under foreign occupation for their fundamental right of self-determination. It was necessary to identify and eradicate the underlying causes of terrorism, including foreign occupation and the unlawful use of force and aggression. Resorting to armed force in retaliation against the perpetrators of terrorism resulted, in most cases, in the removal merely of the symptoms, not the disease itself.

84. Attention must be paid to the methods used by terrorist groups, including the use of the Internet to identify potential targets through the visual mapping of infrastructure and public facilities.

85. The alarming proliferation of terrorism in recent years had been generated mainly by ongoing conflicts and wars caused by non-regional actors. The Islamic Republic of Iran had consistently warned against the threats stemming from the continued presence and activities of a notorious terrorist group, the Mojahedin-e Khalq Organization (MKO), in a neighbouring country under the patronage of foreign forces.

86. Combating drug trafficking was an essential prerequisite for eliminating terrorism, and he urged the international community to pay it greater attention. His country was at the forefront of a costly war against transnational drug traffickers. In 2007, more than 80 per cent of the drugs seized worldwide had been seized in the Islamic Republic of Iran, and over 80 per cent of the opium originating in Afghanistan was trafficked across Iranian borders. Over 4,000 Iranian law enforcement personnel had lost their lives, and the Government had spent billions of dollars in fighting drug traffickers.

87. Attempts to link particular religions, ethnic groups or cultures to terrorism must be rejected. His country reaffirmed its commitment to the principles and teachings of Islam, which prohibited the killing of

innocent people and placed a high value on peace, compassion and tolerance.

88. He welcomed the first biennial review of the Global Counter-Terrorism Strategy and the resolution adopted at its conclusion. He appreciated the efforts of the Chairman and Coordinator of the Ad Hoc Committee to reconcile different positions on the outstanding issues relating to the draft comprehensive convention. It was however necessary to avoid compromising the established provisions of international humanitarian law relating to the legality and legitimacy of struggle against foreign occupation, aggression, colonialism and alien domination. Endangering those principles would send a wrong message to occupying regimes, which had used terrorist tactics, including extrajudicial killings, to suppress such legitimate resistance. The new convention should also address acts of terror committed by a State, including by its military forces. Those acts were prohibited by article 33 of the fourth Geneva Convention, which should prompt their criminalization in peacetime.

The meeting rose at 5.55 p.m.