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Chairperson: Mr. Al Bayati (Iraq)
later: Mr. Lamine (Vice-Chairperson) (Algeria)

Contents

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

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The meeting was called to order at 10.05 a.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 and A/63/281-S/2008/431)

1. **Mr. Dieng** (Senegal) said that his delegation reiterated its strong condemnation of terrorism in all its forms and manifestations and was deeply concerned that the scourge was spreading despite the many efforts to contain it. Beyond a doubt it remained one of the most serious threats to international peace and security and required mobilization of the entire international community and of all actors, regardless of race, religion, origin or ethnicity. Any attempt to associate terrorism with a given religion, culture, race or ethnic group should be strongly condemned. Senegal was committed to respecting human rights while combating terrorism and to ensuring that any measures undertaken complied with international law, especially international humanitarian law, and respected human rights.

2. The first biennial review of the United Nations Global Counter-Terrorism Strategy had shown that considerable progress had been made, proof of the international community's will to work together to eradicate terrorism. However, there was a need for even more active and inclusive cooperation, better coordination and a broader exchange of views, information and experience. His delegation welcomed the plans to institutionalize the Counter-Terrorism Implementation Task Force, whose coordination role should help harmonize the different counter-terrorism actions taken by the United Nations system. In addition, efforts were needed to promote dialogue among civilizations, foster tolerance and understanding among religions and cultures and overcome the prejudices, misunderstandings and stereotypes that bred hatred, intolerance and violence.

3. Senegal had ratified 13 of the international counter-terrorism instruments and was pleased to note the increase in the number of parties to the existing instruments. That framework would be further strengthened by the adoption of a comprehensive convention on international terrorism, and no effort should be spared to resolve the outstanding issues. Senegal was committed to respecting human rights while combating terrorism and to ensuring that all measures taken complied with international law, in

particular international humanitarian law and human rights law.

4. **Mr. Al-Baker** (Qatar) said that concerted efforts were needed to eradicate terrorism, which he condemned as one of the gravest threats to international peace and security. It should not, however, be linked to any religion, nationality, culture or ethnicity. The Global Counter-Terrorism Strategy should be updated periodically to take into account any new developments. The time had come for its full implementation, in which connection all cooperation should be consistent with international human rights and humanitarian law, with due regard for integrity and the avoidance of double standards. Finalization of the draft convention, not least with the inclusion of a definition of terrorism that broke the usual mould by making a distinction between terrorism and the legitimate right of peoples to resist foreign occupation, was another important issue to be addressed.

5. Qatar had acceded to 12 international conventions and various regional conventions on counter-terrorism. It had enacted relevant legislation and established national committees to combat terrorism and money-laundering and was actively involved in efforts to strengthen intercultural and interreligious dialogue; it had hosted various conferences on the subject and was home to a centre for interfaith dialogue. Key issues in addressing the root causes of terrorism included development for all; the equal sovereignty and independence of States; the peaceful settlement of disputes; avoidance of any threat or use of force; improvement of the working methods of the Security Council counter-terrorism bodies with a view to fairness, transparency and non-discrimination; and the role of the media in promoting dialogue, understanding and tolerance and in censuring the increasing racism that was fostering the birth of yet more terrorists.

6. **Ms. Cabello de Daboin** (Bolivarian Republic of Venezuela) said that her country had consistently condemned any action that could be considered a terrorist act and had insisted that such acts should be dealt with promptly in the manner authorized by international public law. It had ratified the main international and regional conventions relating to terrorism and fulfilled its commitments under them, submitting reports and making the required changes to domestic law on such matters as the financing of terrorism, chemical weapons and nuclear materials.

7. However, it was also essential for the international community to agree on cooperation mechanisms that would enable nations to enforce sentences against persons convicted of terrorist acts by their courts. In that regard, the Bolivarian Republic of Venezuela was still awaiting a response from the Government of the United States of America to its request for extradition of the international terrorist, Luis Posada Carriles, who had caused the crash of a Cubana de Aviación airliner on 6 October 1976, killing 76 innocent people and was currently at liberty in the United States.

8. The international community had a historic duty to adopt an international legal instrument that would serve as a framework, fully in conformity with international law, for combating all forms of terrorism, including State terrorism, which ran counter to the rule of law and violated human rights in the social, civil, political and economic spheres. A comprehensive convention would make the greatest contribution by striking a fair balance in its definition of terrorism; the legitimate struggle of peoples in the exercise of their right of self-determination and against foreign domination, a principle enshrined in General Assembly resolution 46/51 and many others, should not be considered terrorist acts.

9. The principles of respect for sovereignty, non-intervention and peaceful coexistence, enshrined in the Charter of the United Nations, should form the basis of efforts to eliminate international terrorism. Her delegation therefore strongly condemned any attempt by a State through its diplomatic agents to interfere in the internal political conflicts of other States, incite to violence, disturb the peace and subvert the constitutional order of another State.

10. **Mr. Al-Adhami** (Iraq) said it was regrettable that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 had been unable to arrive at an acceptable draft of a comprehensive convention on international terrorism; he hoped that the obstacles to finalizing the draft could be overcome.

11. As a country that had experienced terrorist attacks, Iraq condemned terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes. Terrorism constituted a violation of human rights, in particular the right to life, and undermined development, peace and security. All

measures should be taken to prevent territories from becoming safe havens where terrorists could train, plan and store arms. States should ensure that all perpetrators of terrorist acts were either prosecuted or extradited and should coordinate national and regional efforts.

12. On the other hand, combating terrorism should not be made an excuse for violating international law, in particular humanitarian and human rights law, so that nations would not jeopardize the very values they claimed to defend. International counter-terrorism instruments and measures of suppression, however important, would not succeed unless accompanied by other measures that addressed the factors conducive to terrorism, such as illiteracy, poverty, human rights violations, double standards, prolonged conflicts and defamation of cultures and religions.

13. **Mr. Eriksen** (Norway) said that the Global Strategy demonstrated the resolve of Member States to cooperate and take effective measures to curb terrorism. The Strategy comprised a wide range of measures, political and legal, both short- and long-term, including measures to promote human rights and the rule of law. The United Nations had the chief responsibility for coordinating global efforts and, within the United Nations system, the coordinating role of the Counter-Terrorism Implementation Task Force was very important and should be adequately financed. Norway welcomed the outcome of the review of the Strategy and the plan to institutionalize the Task Force.

14. His delegation continued to attach great importance to the adoption of a comprehensive convention on international terrorism. It would not be the final answer or the international community's only response, but it would fill the gaps left by the sectoral conventions, establish a framework for assistance and cooperation among States and reaffirm the unity of the international community in condemning terrorism. The Coordinator's proposal (A/62/37, para. 14) merited careful consideration and could provide the basis for consensus. Once the draft convention had been finalized and adopted, it would be useful to convene a high-level conference on terrorism in order to take stock, provide technical assistance and enhance cooperation.

15. **Mr. Palihakkara** (Sri Lanka) said that the increasing frequency and intensity of terrorist acts all over the world had serious consequences; terrorism

caused economic and political instability, destabilized societies, subverted established order and denied people their basic rights and freedoms. It had assumed international dimensions through its destructive networks of fund-raising, illicit arms smuggling and other transnational crimes, including the potential acquisition of weapons of mass destruction. In guaranteeing fundamental rights and freedoms and offering political space to all actors, democracies were being increasingly exploited by elements bent on achieving their ends by violent means. It was imperative to recognize the growing linkages between terrorism and illegal trafficking in narcotics, persons and firearms and the need to address those problems comprehensively.

16. States should renew their commitment to strengthening the legal regime against terrorism and implementing all the relevant international conventions and the measures identified in Security Council resolution 1373 (2001) and in the Global Strategy. No quarter should be given to terrorists, whatever cause they claimed to represent. The proposed convention, once adopted, would be a vital component of the Global Strategy and the General Assembly should not fail in that legislative task. The Coordinator's proposal contained the elements of a compromise solution.

17. In August 2008, Sri Lanka had hosted the fifteenth Summit of South Asian leaders, organized in Colombo by the South Asian Association for Regional Cooperation (SAARC). The resulting Colombo Declaration emphasized the need for the strongest possible cooperation among the agencies of SAARC member States in the fight against terrorism and transnational organized crime and reiterated the need for early conclusion of the draft convention.

18. The Committee should build on the momentum and renewed commitment gained during the biennial review of the Global Strategy to complete its work on the draft convention and should not allow itself to be caught up in an ideological polemic, which benefited only terrorists. It was important to evolve clear policies and strategies backed by a solid legal regime that left no room for misclassification of terrorism, which no cause or grievance could justify, into tolerable and intolerable categories. Implementing the Global Strategy would call for greater cooperation among States and other actors. As an entity promoting respect for the rule of law and enjoying legitimacy and the confidence of the international community, the United

Nations was well placed to lead a concerted global campaign against terrorism, supported by national and regional measures. But, again, the key to enhanced international cooperation was the speedy conclusion of a comprehensive convention.

19. The ongoing interaction between the Counter-Terrorism Committee Executive Directorate (CTED) and the Counter-Terrorism Implementation Task Force and other programmes and agencies should be encouraged and intensified in order to create greater synergy in the response of the United Nations system to the challenges of terrorism. However, the Task Force should have a broader membership base and should play an institutional role.

20. Lastly, while advocating strong measures against terrorism, his delegation maintained that it could not and should not be associated with any religion, nationality, civilization or ethnic group and that those factors could not be used to justify either terrorism or counter-terrorism measures.

21. **Mr. Constantino** (Angola) said that despite the progress in combating terrorism achieved within the framework of the United Nations system through the elaboration of 13 international counter-terrorism instruments, the adoption of the Global Strategy and the establishment of several Security Council subsidiary bodies, the Strategy would not be successful unless the international community made headway towards creating a solid legal basis for common action, dissuading people from resorting to or supporting terrorism, developing State capacity to defeat terrorism and promoting and defending human rights.

22. States must be held to their international obligations when carrying out action to eliminate terrorism; in order to fulfil its own commitments, his Government had ratified the Convention on the Prevention and Combating of Terrorism of the Organization of African Unity and was taking the requisite steps to ratify all the international counter-terrorism instruments. At the national level, incorporation of those conventions into domestic law would complete the State's criminal law framework and enhance its institutional capacity to prevent and combat terrorism. In its bilateral and multilateral relations with other countries, his Government had developed a framework of action designed to reinforce international cooperation in fighting terrorism in line with the relevant agreements of the Southern African

Development Community (SADC), the African Union and the Portuguese-speaking countries.

23. In order to implement Security Council resolution 1373 (2001), the authorities of his country had presented three reports to the Counter-Terrorism Committee, in which they had provided information on national measures to deal with terrorism. As a further move towards implementation of the resolution, in December 2008, his Government and the United Nations Office on Drugs and Crime (UNODC) would jointly organize a workshop in Luanda for judges, prosecutors and lawyers in order to strengthen the country's institutional capacity to implement international conventions and the Global Strategy.

24. **Mr. Ettalhi** (Libyan Arab Jamahiriya) said that the eradication of terrorism was a prime goal not only for his country, which had on numerous occasions fallen prey to terrorist activities, but for the international community. Opinions differed, however, concerning the means of achieving that goal. His own country's approach was to condemn all terrorist offences, including State terrorism, both direct and indirect. Counter-terrorism demanded a unified approach, including cooperation and measures for non-selective implementation of the Global Strategy at the national and international levels. In that regard, it was important to ensure that the right to political asylum was not abused and that national measures were instituted with a view to effective implementation of the United Nations Convention on Corruption.

25. From the outset, his country had supported the notion of a comprehensive convention on international terrorism and the work of the Ad Hoc Committee; he looked forward to the resolution of pending issues, including that of defining terrorism so as to distinguish it from the right to combat occupation and foreign domination. To ignore that right would be to prolong the injustice of those situations; he therefore reiterated his support for the convening of an international conference to elaborate such a definition and for all proposals aimed at achieving a draft convention that was truly comprehensive and balanced.

26. **Mr. Ali** (Malaysia), noting that significant efforts to implement the various General Assembly and Security Council resolutions on combating terrorism and the resultant threats to international peace and security had been made in the past year by Member States and international organizations, said that his

Government's commitment to the international effort to deal effectively with terrorism was unwavering. The only lasting solution lay in addressing all the root causes of terrorism. While there could be no condoning of extremist actions in any form, so long as oppression, repression and unjustifiable foreign occupation persisted people could and would be persuaded to resort to criminal acts, including terror attacks on the civilian population.

27. Despite the progress achieved through the concerted efforts of the United Nations and Member States, terrorism continued unabated. The bombings in India and Pakistan in September 2008 were the most recent examples of such heinous acts and showed that the Global Strategy needed to be updated.

28. The early conclusion of a comprehensive convention on international terrorism was central to the global counter-terrorism effort. The Coordinator's proposals regarding article 18 offered a way forward, since they sought to address concerns regarding the possible granting of impunity to States' military forces. While the convening of a high-level conference would facilitate the search for a solution to a number of broad political issues of fundamental importance for the efforts of the United Nations to combat terrorism, discussions of the substantive provisions of the draft convention should not be compromised by a debate on related issues.

29. Progress had been made in enhancing his country's counter-terrorism capabilities; the Penal Code had been amended in order to criminalize acts of terrorism and the 2001 legislation on money-laundering and the financing of terrorism had been amended with a view to enforcing the relevant Security Council resolutions. Malaysia had acceded to the International Convention against the Taking of Hostages, the International Convention for the Suppression of the Financing of Terrorism and the Convention on the Marking of Plastic Explosives for the Purpose of Detection. Malaysia had likewise signed the Association of Southeast Asian Nations (ASEAN) Convention on Counter-Terrorism. The domestic legislative framework required in order to comply with Security Council resolution 1624 (2005) was already in place. Malaysia was the depositary State for the ASEAN Treaty on Mutual Assistance in Criminal Matters, which had come into force among six State parties and had been adopted as the basis for mutual

assistance in criminal matters under the ASEAN Convention on Counter-Terrorism;

30. His Government continued to play its part in domestic and regional capacity-building through the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Kuala Lumpur, which provided focused training in collaboration with several partners. In November 2007, in cooperation with UNODC, it had held an interregional workshop on strengthening legal cooperation between Central Asia and East Asia in combating transnational organized crime; and in April 2008, in partnership with the Asia/Pacific Group on Money Laundering, it had held a workshop on money-laundering, terrorist financing and proliferation financing.

31. **Mr. Tchatchouwo** (Cameroon) said that throughout the 36 years in which the General Assembly had been discussing measures to eliminate international terrorism, Member States had affirmed their determination to vanquish terrorism in all its forms and manifestations, because they had come to realize that its tentacles did not spare any society or religion. They had therefore worked tirelessly to develop an appropriate legal arsenal. Yet, while the United Nations could be proud of having drafted 13 international counter-terrorism instruments, there had been a worrying upsurge of barbarous acts whose indiscriminate nature was undermining the foundations of societies. Their disastrous consequences spread fear, but also generated a feeling of solidarity, for terrorism was one of the most serious threats to international peace and security. There was no justification for such acts, which, by definition, harmed innocent people; determined, concerted action by the international community was required if that intolerable scourge was to be stamped out.

32. The adoption of the Global Strategy bore witness to the international community's determination not to remain hostage to that evil. If used wisely, the Strategy offered the most effective basis for preventing and suppressing terrorism and, for that reason, it was time to implement it in full. The high-level meeting held at Headquarters in September 2008 had lent fresh impetus to that task, the prime responsibility for which lay with Member States.

33. He commended the efforts of the Counter-Terrorism Implementation Task-Force, which should nevertheless step up its technical assistance activities.

Moreover States would be more able to implement the Strategy if the Task Force's work were better coordinated. In the long term, terrorism could be combated effectively only if Member States agreed on a clear definition, reached consensus on a draft comprehensive convention and helped developing countries enhance their capacity to fight terrorism; if the international counter-terrorism instruments were universally applied; if international law and, above all, human rights were respected in the battle against terrorism; if a clash of civilizations was avoided when struggling to overcome terrorism; if the emphasis was placed on prevention in order to eradicate the root causes of terrorism and conditions conducive to its spread; and, lastly, if international cooperation in fighting terrorism was strengthened.

34. Although the United Nations remained the most appropriate setting for concerted action against terrorism, each Member State must shoulder its responsibilities. His Government had taken measures mandated by the relevant United Nations treaties. It had submitted the requisite national reports to the Security Council committees involved in counter-terrorism and had held a national workshop on ratification of the international counter-terrorism instruments and their incorporation into domestic law.

35. At the national level, Cameroon had a general legal framework that made it possible to respond to terrorist acts, pending the adoption of more specific legislation. That framework comprised two laws on the suppression of crimes against the security of civil aviation, as well as a decree establishing a national financial investigation agency whose job it was to gather and pass on information about suspicious financial transactions in order to prevent money-laundering and the financing of terrorism. Cameroon also had an Anti-Corruption Commission whose tasks included combating graft, which was a probable source of funds for terrorists. It was a signatory to all the counter-terrorism instruments of the Central African Economic and Monetary Community, the Economic Community of Central African States and the African Union and had ratified 10 of the 13 United Nations counter-terrorism instruments.

36. His Government was keen to make progress on the draft convention. Clearly, a spirit of compromise should prevail; if each Member State remained wedded to its position, the Global Strategy, which was directly linked to the draft convention, would never be fully

implemented. Member States must live up to the international community's expectations by adopting the draft, which would fill existing legal gaps in the area of counter-terrorism, and demonstrating political will. Innovative ideas concerning article 18, with respect to the convention's scope of application, were needed.

37. The United Nations, as the chief proponent of the rule of law, could not allow the convention to promote impunity for terrorist acts, regardless of their perpetrators, or the reasons for them. All acts of terrorism not already covered by sectoral conventions must be punished under the comprehensive convention. His delegation supported the ongoing negotiations and was in favour of convening a high-level conference on terrorism in the near future in order to examine outstanding issues, such as the root causes and definition of terrorism, the issue of assistance, the rule of law in the context of counter-terrorism and the universal application of existing conventions.

38. **Mr. Ayoob** (Afghanistan) said that the peace, stability and development of his country were still being jeopardized by a wide range of atrocities perpetrated by Al-Qaida, the Taliban and other extremist or criminal groups bent on destroying Afghanistan and depriving the population of its socio-economic and other human rights. The Government and people of Afghanistan rejected terrorism as a criminal act which could never be justified under any circumstances.

39. Combating terrorism, which was also a serious threat to international peace and security, required coordinated action. To that end, all States should strive to resolve the outstanding issues and conclude the draft convention in order to create an effective instrument for meeting that global challenge. His delegation supported full implementation of all the pillars of the Global Strategy; in particular, the pillar of capacity-building was essential in helping countries like his own. His delegation was also in favour of the King of Saudi Arabia's proposal to establish an international centre under the auspices of the United Nations to combat international terrorism.

40. Afghanistan participated actively in the international community's war on terrorism. It had signed all the relevant international instruments and was strongly committed to implementation of General Assembly and Security Council resolutions on terrorism. It was taking steps to accede to the Regional

Convention on Suppression of Terrorism of the South Asian Association for Regional Cooperation (SAARC) and the additional protocol thereto. His delegation was working closely with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and Associated Individuals and Entities (the "1267 Committee") and with other bodies established pursuant to Security Council resolutions aimed at strengthening the effectiveness of the United Nations sanctions regime against Al-Qaida and the Taliban. It regularly provided the 1267 Committee and the Counter-Terrorism Committee with up-to-date information and proposals on listing, delisting and the freezing of bank accounts of members of Al-Qaida and the Taliban. His Government had presented its report to the Security Council Committee established pursuant to resolution 1540 (2004) and had signed bilateral agreements with other countries aimed at combating drug trafficking and terrorism.

41. At the national level, his Government had adopted three laws designed to cut off funds for terrorist activities and had set up an anti-money-laundering unit at the Central Bank of Afghanistan. It had ratified the United Nations Convention against Corruption and had established a national peace consolidation commission and a council of scholars and religious leaders, who were tasked with explaining that terrorism was an un-Islamic activity which disrupted peace. An inter-departmental working group had been set up at the Ministry of Foreign Affairs to follow up and coordinate the implementation of all international conventions and protocols and General Assembly and Security Council resolutions on international terrorism. However, it needed the support of the United Nations and other international organizations. Lastly, its security forces were working alongside international military forces in order to protect the Afghan people from terrorism.

42. As terrorism was a worldwide threat all Member States which had not yet done so should become parties to the existing international counter-terrorism conventions and protocols and should honour their obligations under the relevant General Assembly and Security Council resolutions by denying any support to terrorists, destroying their safe havens and eliminating their institutional backing.

43. **Mr. Sodnom** (Mongolia) said that his Government unequivocally condemned terrorism in all

its forms and manifestations and was of the view that it could not be justified by any reason or motivation. The United Nations had a vital role to play in combating terrorism and the Global Strategy had established an effective framework for addressing the conditions that were conducive to its spread and for coordinating international counter-terrorism measures. The September 2008 review of the Strategy had strengthened cooperation between Member States and the United Nations; the work of the Counter-Terrorism Implementation Task Force should ensure system-wide coherence among the entities of the United Nations system.

44. The linkages between organized crime and terrorism needed to be more effectively addressed. The rapid growth in organized crime, illegal trafficking and corruption called for a coordinated response from the international community. For its part, Mongolia had ratified the United Nations Convention against Transnational Organized Crime and its Protocols in 2008. As a party to 13 of the international counter-terrorism instruments, his country had carried out extensive legal reforms aimed at bringing domestic law into line with international norms. In 2004, its parliament had adopted a Law on Combating Terrorism, and in 2006, had adopted a Law on the Suppression of Money-Laundering and the Financing of Terrorism. His delegation hoped that negotiations on the draft convention could be finalized in 2008.

45. **Mr. Morejón** (Ecuador) said that his Government condemned terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purpose. It had ratified 12 of the international counter-terrorism instruments and fully supported measures taken to combat terrorism under the auspices of the United Nations and in accordance with international law. Since 2005, Ecuador had amended the Penal Code to bring its provisions into line with counter-terrorism conventions; it had made good progress in preparing a special law on the financing of terrorism and actively cooperated in combating drug trafficking and organized crime.

46. His Government was especially concerned about the victims of terrorism. It had developed clear procedures for granting refugee status only to persons who met the requirements established by national and international law. Ecuador received the largest number of refugees of any country in the western hemisphere and, in spite of the support it received from the Office

of the United Nations High Commissioner for Refugees (OHCHR), was required to allocate significant financial resources to assisting persons in need of international protection. His delegation agreed that it was time to find the political will to adopt a comprehensive convention on international terrorism that would enable the international community to combat more effectively terrorism in all its forms.

47. **Mr. Doumbia** (Mali) said that his delegation condemned terrorism in all its forms and manifestations. Mali had adopted several measures within the framework of the Global Strategy and the relevant General Assembly and Security Council resolutions and had ratified 12 of the international counter-terrorism instruments. The adoption of Act No. 025 of 23 July 2008 had strengthened the nation's legal counter-terrorism framework and contained provisions on almost all crimes established in the international counter-terrorism instruments. In response to recommendations made by the Counter-Terrorism Committee Executive Directorate (CTED), the Government had established a National Counter-Terrorism Coordination Structure and had appointed the members of the National Financial Information Processing Unit.

48. The proliferation of small arms and light weapons posed a major threat to international peace and security. To that end, the Economic Community of West African States (ECOWAS) had established a legally binding moratorium on the manufacture, import and export of small arms and had developed a programme that provided its members with technical and financial assistance. Mali had also established a cross-border cooperation framework to address the threat posed by armed bandits in the North of the country and to protect the stability of the Sahelo-Saharan subregion; its President planned to organize a conference on security and development in the States of that subregion.

49. **Ms. Rashid** (Bahrain) said that better coordinated efforts were needed in order to tackle the root causes of terrorism, which posed one of the gravest threats to international peace and security. Her country supported the Global Strategy, the full implementation of which was a crucial responsibility of Member States, and endorsed the remarks on counter-terrorism contained in the report of the Secretary-General on the work of the Organization (A/63/1). A firm definition of terrorism was still lacking, however, nor was there any linkage

of the Strategy with the work of the relevant Security Council Committees although, given the current potential for variance in that connection, Member States would be better served by a single United Nations mechanism for dealing with counter-terrorism.

50. The entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism in 2007 was an indication of the universal commitment to fight terrorism, a challenge that demanded global solutions and joint action in accordance with United Nations instruments and resolutions. While fully condemning terrorism, her Government rejected any association of it with a particular culture, ethnicity or religion, in particular Islam. It had acceded to 12 of the international counter-terrorism instruments and had become a party to various Arab conventions on the subject, in which context it was coordinating its counter-terrorism efforts with fellow members of the Gulf Cooperation Council. It endorsed the Saudi Arabian proposal for the establishment of an international counter-terrorism centre under United Nations auspices, as well as the convening of a United Nations conference on counter-terrorism in the hope of expediting finalization of the draft convention, and the Tunisian proposal for an international seminar to elaborate a code of conduct on counter-terrorism. She looked forward to adoption of the draft convention at the current session pending the settlement of all outstanding issues, including a definition that made a distinction between terrorism and struggles for independence waged in accordance with international law.

51. **Mr. Tiendrebeogo** (Burkina Faso) said that despite the efforts of the international community and the United Nations, terrorism was one of the main threats to international peace and security. Burkina Faso condemned it in all its forms and manifestations and had ratified 12 of the international counter-terrorism instruments. It was essential for Member States to adopt a coordinated approach in combating terrorism and, in that connection, for them to finalize the draft convention. In addition to strengthening the international legal framework, it was also necessary to provide technical assistance and capacity-building and to ensure that terrorism was not associated with any religion or belief. Her delegation was in favour of holding a high-level conference under the auspices of the United Nations to formulate a joint response by the international community to terrorism.

52. *Mr. Lamine (Algeria), Vice-Chairperson, took the Chair.*

53. **Mr. Castellón Duarte** (Nicaragua) said that his delegation condemned terrorism in all its forms and manifestations. Only through a coordinated response and bilateral, regional and international cooperation could the international community prevent and combat terrorism; in that connection, implementation of the Global Strategy should be a priority for all Member States. Acts of terrorism constituted violations of international law, including human rights and humanitarian law, and could never be justified. It had a profound impact not only on the victims, but on family networks, communities and society as a whole. Terrorism should not be associated with any religion, race, set of values, culture or group; the application of such a double standard would have a negative impact on the counter-terrorism effort. The root causes of that problem — poverty, hunger, racism and unresolved conflicts — must also be addressed. The proposal to convene a high-level conference under United Nations auspices should be given serious consideration as it would facilitate consensus on a definition of terrorism and conclusion of the draft convention, which would fill gaps in the existing legal framework.

54. Nicaragua was a party to 11 of the international counter-terrorism instruments. Its Penal Code, which had entered into force on 9 July 2008, criminalized terrorism, the financing of terrorism, the taking of hostages, and incitement or conspiracy to commit an act of terrorism. Nicaragua had established a National Committee responsible for Implementation of the Central American Plan for Comprehensive Cooperation to Prevent and Combat Terrorism and Related Activities and had signed agreements to promote cooperation among intelligence agencies with a view to combating terrorism and organized crime.

55. **Mr. Al-Ateeqi** (Kuwait) said that while Kuwait supported the course of moderation and rejected terrorism and extremism in all their forms and manifestations, it was important not to link terrorism and criminal acts to any particular religion, civilization or ethnic group. His Government had set up committees in a number of ministries, as well as a specialized unit for financial oversight and investigation of money-laundering and terrorist financing. His delegation called on Member States to comply with the relevant United Nations resolutions, avoid double standards and put an end to foreign

occupation, injustice and human rights abuses. He urged a speedy conclusion to work on the draft convention, which should include a clear definition that distinguished between terrorism and the legitimate right of peoples to self-determination and resistance to occupation. His delegation welcomed the review of the Global Strategy, which deserved to be fully implemented as the main basis for combating terrorism, and called on the United Nations to develop standards for relief and assistance, to distinguish between the activities of non-profit foundations and associations and illegal activities carried out by terrorist organizations, and to put in place regulations against those who defamed religion or incited ethnic or sectarian strife through the media while promoting tolerance and coexistence among civilizations, culture, peoples and religions.

56. **Mr. Khaleel** (Maldives) said it was imperative that the international community should continue to give highest priority to the collective effort against international terrorism which, together with organized crime, continued to threaten international peace and security. The key to success lay in addressing the root causes of terrorism. Maldives was fully committed to implementing the Global Strategy, which would help to defeat terrorism while upholding the fundamental rights of peoples and respect for the rule of law, and supported early adoption of the draft convention.

57. Terrorism was particularly alarming in the context of the spread of nuclear arms and other weapons of mass destruction. His delegation therefore supported the proposed convention on nuclear terrorism, as well as the Saudi Arabian proposal to establish an international centre for combating terrorism. It continued to advocate multilateral cooperation in helping small States protect their sovereignty and territorial integrity: the international community had a moral obligation to assist such States in times of need.

58. Maldives was a party to almost all the major conventions and protocols against terrorism and was taking measures to meet all its international obligations in that regard, including by preventing non-State actors from operating within its borders. It was actively committed to regional cooperation, in particular through SAARC and other relevant regional and international agencies, and, to that end, had undertaken joint training initiatives, information exchanges and high-level bilateral visits.

59. **Mr. Donovan** (United States of America) said that no country or international organization was immune from the pervasive threat of terrorism, which was unjustifiable, especially when directed against civilians; suicide bombings and the taking of hostages were particularly deplorable. The United States strongly supported the central role of the United Nations in the global counter-terrorism effort; the need for multilateralism was more urgent than ever in that regard. Close cooperation among countries could help prevent terrorist attacks. For that reason, his delegation welcomed the recent review of the Global Strategy and appreciated the Secretariat's efforts to set up the Counter-Terrorism Implementation Task Force and had made a voluntary contribution of nearly US\$ 500,000 in support of its working groups.

60. His Government recognized the need to build the counter-terrorism capacity of Member States and had helped 64 countries under a special assistance programme. It also cooperated bilaterally in preventing flows of funds to terrorist groups, as well as contributing to global efforts to combat poverty, unemployment, weak institutions and corruption, which could be exploited for recruiting and other purposes. In that context, it was essential to improve coordination among all parts of the United Nations counter-terrorism programme, with a view in particular to system-wide coherence and cooperation. The United States had taken a key step towards ratifying the four United Nations counter-terrorism instruments adopted in 2005, having secured Senate consent thereto, and called on all Member States to do likewise.

61. Speaking with regard to the statements made previously by the delegation of Cuba and the delegation of the Bolivarian Republic of Venezuela, he emphasized that his Government had taken legal action against Luis Posada Carriles in accordance with both international law and its own legislation and with all the safeguards of due process. Mr. Posada Carriles had not been charged with any major offence, however, for lack of evidence. In 2005, he had entered the country illegally and, after being detained by the immigration authorities, removal proceedings had been initiated in accordance with domestic law. That order remained in effect, but the authorities had yet to find ways of carrying it out without departing from their obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Mr. Posada Carriles had been indicted under United

States immigration laws, but the charges had subsequently been dismissed; following an appeal, that decision had been reversed and the case was to go back to the trial court for further proceedings. Mr. Posada Carriles had no legal status and remained under investigation for other acts, as well as being under a supervision order.

62. As for the individuals known as the “Cuban Five”, they had been ascertained to be agents of Cuba’s foreign intelligence service and formed part of the Wasp Network of Cuban spies. They had been duly convicted in 2001 after an open, public trial during which, benefiting from the full exercise of their right to a defence, they had pleaded guilty and were currently serving prison terms. They continued to enjoy all the rights granted to prisoners under the United States Constitution and could receive visits from lawyers, relatives and members of the general public.

63. **Ms. Pino Rivero** (Cuba), speaking in exercise of the right of reply, said that Luis Posada Carriles had never been tried for his terrorist acts against Cuba and other countries, including the downing of a Cuban aeroplane. Although he had been recognized by the United States immigration authorities to be a danger, he was subject to very light supervision. The aforementioned five Cuban heroes could not be compared with him. They had been engaged in combating terrorist groups that were operating freely in Miami in order to harm Cuba. It was shameful and unjust that Mr. Posada Carriles should remain free while they had been sentenced to prison. It was clear that the United States Government did not punish the crime of terrorism when its victims were citizens of a country that did not bow to its imperialist policies. Moreover, the five imprisoned Cubans had not, in fact, been able to be visited by their spouses. She wished to know the reason for that and why the Government allowed terrorist individuals and associations opposed to her country, like the Cuban American Foundation, to operate in its territory and why it had refused to enter into a bilateral counter-terrorism programme with Cuba.

64. **Ms. Cabello de Daboin** (Bolivarian Republic of Venezuela), speaking in exercise of the right of reply, said it was public knowledge that Luis Posada Carriles had been responsible for the bombing of a Cuban airliner. The Venezuelan authorities had consequently requested his extradition but, to date, the United States

Government had not responded to that request and had tried him merely for illegal entry into its territory.

The meeting rose at 12.35 p.m.