

United Nations

GENERAL ASSEMBLY

THIRTY-SECOND SESSION

Official Records *



DEC 13 1977

COLLECT

SIXTH COMMITTEE

54th meeting

held on

Friday, 25 November 1977

at 10.30 a.m.

New York

SUMMARY RECORD OF THE 54th MEETING

Chairman: Mr. GAVIRIA (Colombia)

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Distr. GENERAL

A/C.6/32/SR.54

30 November 1977

ENGLISH

ORIGINAL: SPANISH

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The meeting was called to order at 11 a.m.

AGENDA ITEM 118: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS, AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE AD HOC COMMITTEE ON INTERNATIONAL TERRORISM (A/32/37)

1. Mr. HOVEYDA (Iran), speaking as Chairman of the Ad Hoc Committee on International Terrorism, introduced the Committee's report (A/32/37) and said that after almost four years of inactivity, the Ad Hoc Committee had renewed its work during the current year in accordance with General Assembly resolution 31/102, of 15 December 1976.
2. The general debate had shown that the members of the Ad Hoc Committee shared the concern of the international community regarding the spread of international terrorism but that, without prejudice to the general reaffirmation of the inalienable right to self-determination and independence for all peoples under colonial and racist régimes and other forms of foreign domination, or to support for the legitimacy of that struggle, particularly the struggle of the national liberation movements, there were considerable divergencies of views as to whether such struggles should be excluded from the condemnation of international terrorism. Given the controversial nature of the material, and remembering that there were other disagreements as to the elements which should be included within the definition of terrorism, the Ad Hoc Committee had deemed it advisable to annex to its report the summary records of its session, to ensure that all points of view were reflected clearly.
3. The most difficult part of the report, concerning the concluding statement on the work of the Ad Hoc Committee, had been adopted on the proposal of its Chairman (A/32/37, para. 10); it had not, however, been the result of his work alone, but had been drafted after broad consultations during which particular attention had been paid to the views of those delegations which had made recommendations and to those of the different geographical groups. Consequently, it reflected the general opinion of the Ad Hoc Committee, and it had therefore been possible to adopt it without a vote.
4. He expressed the hope that the progress achieved by the Ad Hoc Committee, although limited thus far, would open the way to new efforts which would lead to the adoption of practical measures on the matter.
5. Mr. NAIR (Fiji) said that international terrorism was a subject of great concern to his Government, although, so far, it had remained far removed from the major centres of international turmoil. The United Nations must adopt effective measures to combat a crime that had assumed an international character, and the reconvening of the Ad Hoc Committee on International Terrorism after a regrettable lapse of some four years was therefore to be welcomed. The mandate of the Ad Hoc Committee reflected the collective concern of the United Nations.

6. In the common search for an acceptable definition of "international terrorism" the thesis had been put forward that national liberation movements must not be restricted in their fight for self-determination and that acts of violence committed in the exercise of that right should not be considered as acts of terrorism. His delegation did not believe that the end justified the means. Certain acts were criminal and must be condemned, irrespective of motives, and without exception. Moreover, many of the recognized liberation movements had not been involved in terrorist activities.

7. So-called acts of "State terrorism", through which Governments, in order to maintain a political position, terrorized individuals through repressive policies, should not be differentiated from acts of terrorism to gain a particular political position, as was the case with liberation movements. Nevertheless, State terrorism was more widely recognized under the rubric of human rights or fundamental freedoms. To protect the individual against that form of terrorism, effective use should be made of existing instruments and bodies. The solution of one evil should not be conditional on the solution of another.

8. It would be hypocritical to limit oneself to the condemnation of terrorism without giving consideration to the underlying causes. However, the international community could not delay the adoption of measures to combat those acts of terrorism until the completion of the long-term study of its underlying causes and of measures designed to eliminate them; many of those causes had been embedded in social, economic and political injustices. So as not to confuse two separate questions, the Ad Hoc Committee should concentrate on the immediate problem of taking measures to combat terrorism, while the Secretary-General should commission a group of experts to study the underlying causes and to report to the General Assembly, together with observations on what was already being done in the United Nations to alleviate some of those causes.

9. His delegation subscribed to the suggestion put by the delegation of Sweden to the Ad Hoc Committee that particular acts should be identified as acts of international terrorism and that appropriate measures should be considered for recommendation to Governments to enable them to deal with the problem at the national level (A/AC.160/SR.5, paras. 14 and 17).

10. His delegation called once again on Member States to ratify the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, the Hague Convention of 1970 for the Suppression of Unlawful Seizure of Aircraft and the Montreal Convention of 1971 for the Suppression of Unlawful Acts Against the Safety of Civil Aviation. His delegation had sponsored the inclusion of item 129 in the agenda of the current session of the General Assembly and had been pleased to be part of the consensus on the resolution on the safety of international civil aviation (A/RES/32/8). Nevertheless obstacles had arisen to the adoption of meaningful measures in the anxiety to protect the interests of freedom fighters, although many of the hijackings of aircraft had been the acts of a criminal minority. However, one must be optimistic as the resolution might be the beginning of international co-operation in that important area.

(Mr. Nair, Fiji)

11. His delegation wished to announce that it would not intervene in the debate on agenda item 119, but would support the continuation of the work of the Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages.

12. Mr. ARMALY (Observer, Palestine Liberation Organization) said that mankind called for increasingly drastic measures to end the hateful phenomenon of international terrorism. Unfortunately, the report of the Ad Hoc Committee (A/32/37) had been a confession of failure since, apart from agreeing to reiterate the concern of the international community at the increase of international terrorism and reaffirming the inalienable right to self-determination and independence for all peoples under colonial and racist régimes and other forms of foreign domination, and the legitimacy of their struggle, it merely reflected disagreement stemming from subjective political considerations. The Ad Hoc Committee should lay aside all political motives and base its work on the need to safeguard human life and on the definition of "innocent victims".

13. Although a scientific and objective definition of terrorism had not been drafted to date, there was general agreement that it should be regarded as the use of excessive violence, or threats of violence, with the object of achieving certain goals. When the purpose was financial gain, the authors fell under common law and nobody would have any doubts about condemning them. In recent years, with the growth of national liberation movements representing peoples oppressed by foreign or racist domination and deprived of the fundamental rights recognized in the Charter of the United Nations and the Universal Declaration of Human Rights, a new type of terrorism had appeared, even more hateful than other forms, in so far as it employed the most destructive modern techniques, out of all proportion to the means at the disposal of liberation movements, and produced hundreds of innocent victims at a time. That was State terrorism which, under the false pretext of self-defence or reprisals, drove States and political groups to commit criminal acts of refined barbarity against the innocent civilian population. For years the Vietnamese people had suffered; currently the peoples of southern Africa were suffering from that type of terrorism and the Arab people of Palestine had been compelled to undergo that bloody experience since the foundation of the Zionist entity of Israel. It could hardly be otherwise, bearing in mind that the father of contemporary terrorism, which he had raised to a system, currently headed the Government of Israel. An impartial witness, Mr. Jacques de Reynier, representative of the International Committee of the Red Cross, had, on pages 72 to 74 of his book entitled 1948, à Jérusalem given a fascinating description of the hateful massacre of the Arab population of Deir Yasin in 1948 by Mr. Begin and his men of the Irgun. De Reynier described troops in combat uniform armed to the teeth, and carrying blood-stained machetes like the one exhibited by a young woman as a trophy. Of the 400 inhabitants of that village, 50 had been able to flee and only three had survived: all the others, the author concluded, had been deliberately murdered by a troop acting under orders.

14. Mr. Menahem Begin himself had provided extremely informative evidence in his book entitled The Revolt, where he had stated that enemy propaganda attempting to

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(Mr. Armaly, Observer, PLO)

cast aspersions on the Jewish forces by speaking of the "atrocities" which they had committed in Deir Yasin had actually helped the Jewish forces, as the Arabs of Eretz Israel had been seized by panic and had fled shouting "Deir Yasin!", even before they encountered the Jewish troops who were advancing into Haifa like a knife going through butter.

15. The entire subsequent history of the Zionist entity of Israel was a list of horrifying acts of terror against the Palestine people. The most murderous of those acts, the bombing raids carried out by ultra-modern aircraft against the Palestine refugee camps, had become a common occurrence. The most recent one, carried out on 8 November 1977 against the camps of Rachidiye and Al Bass and the village of Al-Aziya in southern Lebanon had left more than 100 civilian casualties. The New York Times had published, on 9 November, an article stating that the village of Al-Aziya had been reduced to rubble in which the bodies of 45 inhabitants had been found, including women, children and the elderly. On another page of the same newspaper, the Israeli Chief of Staff, Lieutenant-General Mordechai Gur, was quoted as having said that the bombardments had had as their sole objective "terrorist bases" and that there had been no civilian targets.

16. He wished to draw the attention of the Ad Hoc Committee on International Terrorism to State terrorism, whose devastating effects were the most dangerous threat to mankind, since, as many jurists and humanists had stressed, the consequences were not limited to its direct victims - there was also the danger that the whole of mankind would be involved, beginning with the people of the aggressor State. How could people whose fundamental rights had been denied be requested to obey international law when the very States which had established that law chose to treat it with contempt?

17. Consequently the Ad Hoc Committee should take up the urgent task of preparing appropriate rules for dealing with that sort of terrorism, since neither the United Nations Charter, nor the Universal Declaration of Human Rights, nor the texts of humanitarian law, such as the 1949 Geneva Conventions, were adequate to remedy the situation. He regretted having to say that some States Members of the Ad Hoc Committee claimed that State terrorism should be examined outside the context of international terrorism as a way of refusing to see the facts as they were and of postponing the solution of the problem. The principles set forth in some international documents, such as those devoted to humanitarian law, far from placing the study of the problem outside the competence of the Ad Hoc Committee offered to anyone who was genuinely looking for one an effective solution, namely the codification of the body of principles aimed at protecting the civilian population in armed conflicts. The Ad Hoc Committee should prepare a similar code with regard to State terrorism. To that end it would simply need to consult some articles of Additional Protocol I to the 1949 Geneva Conventions, such as article 48, which established as a fundamental rule the obligation of parties to a conflict to distinguish between the civilian population and combatants and between civilian objects and military objectives.

18. Mr. ROSENNE (Israel), speaking on a point of order, said that the Committee had already terminated its consideration of agenda item 115 dealing with human rights in armed conflicts.

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19. The CHAIRMAN rejected the objection made by the representative of Israel and invited the representative of the Palestine Liberation Organization to continue.

20. Mr. ARMALY (Observer, Palestine Liberation Organization) said that article 51 of Additional Protocol I to the 1949 Geneva Conventions prohibited, in paragraph 2, acts or threats of violence whose primary purpose was to spread terror among the civilian population, in paragraphs 4 and 5, indiscriminate attacks, including bombardments, and in paragraph 6, reprisals against the civilian population. Those examples and others which could be taken from various documents of international law were useful elements for guiding the activities of the Ad Hoc Committee. He felt that the members of the Committee should arrive at a consensus on a codification which would gather together all of those principles which had been endorsed or were being endorsed by Member States.

21. It was clearly incumbent on the Ad Hoc Committee to take up that priority task. Once it had been accomplished, it would perhaps be easier to study other forms of international terrorism. His organization favoured having the Ad Hoc Committee continue its work with the speed which the importance of the problem demanded, since the chances for peace in the world depended to a great extent on the result of that work.

22. Mr. ROSENNE (Israel) said that most of the statement made by the previous speaker had nothing to do with the subject under discussion in the Committee, but related to matters considered in plenary meetings and other committees where the position of his country had already been stated. He could agree with the previous speaker when he had referred in theoretical terms to the victims of terrorism and war; however, what he had said afterwards revealed a poorly concealed attempt to justify the terrorist acts of the Palestinians, such as the acts committed during the Olympic Games in Munich in 1972, which had been one of the main factors leading the Secretary-General to initiate action in the General Assembly for the suppression of terrorism. At present, everyone hoped that recent events would lead to a fundamental change in the situation in the region, and his delegation believed, as it had said in the plenary meeting of 24 November, that the General Assembly could contribute to the achievement of peace by taking up the items relating to the Middle East which would be discussed at the current session. It was therefore necessary to change the tone of statements and to abandon the excessive rhetoric of the past which could only revive hatred and violence.

23. He recalled that Mr. De Reynier had written the book referred to earlier in his private capacity, and that it was not an official report of the International Committee of the Red Cross.

24. He reserved the right to return later, if necessary, to the terrible acts committed by various Palestinian terror units against innocent victims, women and children, since 1948. Although it was always regrettable when innocent lives fell victim to acts of war those who initiated those actions should assume the entire responsibility for their consequences. He referred to the clear statement of his country's position which had been presented in the Committee on 6 December 1976.

(Mr. Rosenne, Israel)

25. His delegation believed that the representatives of racist organizations inspired by Nazi thinking should not have the right to address the General Assembly and its committees, and certainly not in the violent language which they used.
26. Mr. ARMALY (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that he had not claimed that the book by Mr. De Reynier was an official record, but only an account of what he had witnessed in Deir Yasin. He welcomed the fact that the representative of the Zionist entity had not questioned the truth of the account and had not commented in any way on the description given in that connexion by the head of his Government. He invited the Committee to take note of that fact.
27. To show that he had not departed from the context of the debate in his reference to the most hateful form of international terrorism, namely State terrorism, he cited paragraph 4 of General Assembly resolution 31/102, which condemned repressive and terrorist acts by colonial, racist and alien régimes. He had given an account of only one experience of the acts of repression and terrorism suffered by the Palestine Arab population. He hoped that other speakers would refer to acts of State terrorism by the Governments of Salisbury and Pretoria.
28. With regard to the so-called peace initiatives which were currently under way in the Middle East, he said again that they would lead to no positive result unless two conditions were met: Israel must withdraw from all of the territories occupied after the aggression of 1967 and, above all, the right of the Palestinian people to an independent State on its national territory must be recognized.
29. Mr. ROSENNE (Israel), speaking in exercise of the right of reply, said that Israel was not a foreign régime in its own land, which was Palestine.

The meeting rose at 12 noon.