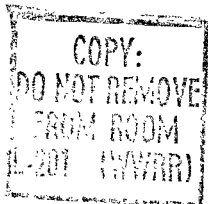


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SPECIAL POLITICAL COMMITTEE
15th meeting
held on
Wednesday, 2 November 1977
at 3 p.m.
New York

UN/SPC COLLECTION

SUMMARY RECORD OF THE 15th MEETING

Chairman: Mr. NEUGEBAUER (German Democratic Republic)

later: Mr. BLACKMAN (Barbados)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 129: SAFETY OF INTERNATIONAL CIVIL AVIATION (continued) (A/32/320)

1. The CHAIRMAN gave the floor to representatives wishing to speak after the adoption by consensus at the preceding meeting of the draft resolution appearing in paragraph 13 of the Committee's report to the General Assembly (A/32/320).
2. Mr. KOSTOV (Bulgaria), after congratulating the Chairman on the competence with which he directed the work of the Committee and referring to the links between the German Democratic Republic and the Bulgarian People's Republic, which had been further strengthened by the Treaty of Friendship and Co-operation recently concluded between the two countries at Sofia, explained why his delegation had associated itself with the consensus on the draft resolution on the safety of international civil aviation.
3. The Bulgarian People's Republic had always considered acts of interference with civil aviation to be an international offence because they threatened the very operation of international civil aviation, endangered the life and safety of passengers and crew and were a source of tension in relations among States. It had therefore joined in the endeavours of the international community to put an end to acts of piracy in the air by supporting the relevant Security Council and General Assembly resolutions, in particular General Assembly resolution 2645 (XXV). Bulgaria had also signed and ratified the Hague and Montreal Conventions and had always declared itself in favour of strengthening multilateral and bilateral co-operation to prevent such acts.
4. His delegation also endorsed the remarks made by several delegations concerning the fact that some countries did not attach the same importance to all acts of piracy in the air, an attitude which it condemned because it was essential that all countries without exception should adopt the required measures - prosecution or extradition - in order to ensure the success of the fight against the hijacking of aircraft.
5. Lastly, his delegation wished to emphasize that nothing in the resolution adopted by the Committee derogated from the inalienable right of peoples to fight for freedom and independence in accordance with the principles and purposes set forth in the Charter and other relevant United Nations instruments.
6. Miss CAMPBELL (Canada) said that Canada had been among the States which had urged the inclusion of the item entitled "Safety of international civil aviation" in the agenda of the General Assembly and that recent events had tragically highlighted the need for vigorous and concerted international action in that field, since no one was immune from terrorist attacks on civil aviation.
7. A framework of valuable international co-operation already existed. For instance, the General Assembly had on 25 November 1970 adopted resolution 2645 (XXV), in which it condemned without exception all acts of aerial hijacking

and the exploitation of unlawful seizure of aircraft for the purpose of taking hostages, an approach which had also been taken in several important conventions adopted by the United Nations.

8. The two principles underlying the provisions of the Hague Convention for the Suppression of Unlawful Seizure of Aircraft and the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation were "prosecution or extradition". Article 7 of both Conventions obliged the State in whose territory the alleged offender was found either to extradite him or to submit the affair to its competent authorities for the purpose of prosecution. Moreover, under articles 2 and 3 of those Conventions, contracting States undertook to make offences against civil aviation punishable by severe penalties.

9. The increasing number of States which were ratifying the 1970 Hague Convention, the 1971 Montreal Convention and the Convention on Offences and Certain Other Acts Committed on Board Aircraft, which had been signed at Tokyo in 1973, was an indication of the real co-operation of States in all regions of the world in that respect and their desire that the offenders should be punished. It should be pointed out, however, that there were still important gaps in the application of those Conventions which could encourage further acts of hijacking. It was for that reason that the Canadian delegation to the twenty-second Assembly of the International Civil Aviation Organization, which had been held recently at Montreal, had recommended that the Legal Commission should request the Secretary-General to bring again to the attention of States resolution A 21-9 regarding expeditious ratification of Conventions relating to unlawful interference, and request the Council to study ways and means of obtaining the widest possible application of those Conventions. Her delegation therefore supported the appeal made in the draft resolution recently adopted and in other relevant General Assembly resolutions to all States not yet parties to those three Conventions to consider ratifying or acceding to them as soon as possible.

10. With regard to paragraph 1 of the draft resolution, acts of air piracy, like acts of sea piracy, slavery and genocide, regardless of motive, were abhorrent to the conscience of mankind.

11. With reference to paragraph 2, there was a clear need for improved security arrangements to be used at airports and by airlines, as well as for a greater exchange of relevant information between States. Canada had supported the convening of regional aviation security seminars under the auspices of ICAO, and had proposed at the twenty-second ICAO Assembly that resolution A 21-23 entitled "Technical measures for safeguarding international civil air transport against unlawful interference" should be amended to give ICAO more flexibility to convene such seminars; that proposal had been adopted and should pave the way for other regional technical consultations. Her delegation was convinced that the ratification of the relevant international conventions and the holding of regional seminars would lead to the adoption of further measures at the national and international levels to ensure that passengers, crew and aircraft engaged in civil

(Miss Campbell, Canada)

aviation were not used as a means of extorting advantage of any kind, and it undertook to explore every possibility for effective action in that regard.

12. While her delegation would have liked to see more specific language used in paragraph 4 of the draft resolution concerning the work to be done by ICAO, it believed that the present wording of the paragraph reflected the resolve of Member States to undertake further efforts in ICAO to ensure the security of air travel. Canada would be consulting with other delegations both in the United Nations and in ICAO, in particular concerning the reinforcement of annex 17 to the Chicago Convention relating to the physical security of airports.

13. Mr. MALONGA (Congo) drew attention to the relations of friendship and co-operation existing between the German Democratic Republic and the People's Republic of the Congo, which had recently been demonstrated by the official visit to Berlin of the Congolese Head of State.

14. The safety of international civil aviation was of concern to all States which cherished peace and freedom - including the Congo - and his delegation therefore condemned any act of terrorism perpetrated in the air, on sea or on land. No State could support acts which had created a climate of insecurity in air and sea navigation in defiance of international law and elementary respect for the fundamental rights of innocent passengers. However, such acts had become all too frequent, and the international community must try to put an end to them not by resorting to excessive police measures but by seeking means of depriving the terrorists of any popular support.

15. His delegation wished, nevertheless, to recall that some countries which were the first to call for the adoption of measures against aerial terrorism were the very same ones which had cunningly encouraged in other circumstances the hijacking of aircraft and ships of some third world countries which refused to be the vassals of the imperialist Powers. The Republic of Cuba had been a victim of that practice. That dark page had fortunately been turned, and the international community would perhaps be well advised to draw inspiration from the agreement reached subsequently between Cuba and the United States concerning the hijacking of aircraft or vessels. The agreement stipulated that any person who intercepted an aircraft or a vessel of one of the Parties and took it to the territory of the other Party must be regarded as having committed an offence and was consequently to be returned to the State Party in which the aircraft or vessel was registered in order to be tried by the courts of that Party, or brought before the courts of the Party in whose territory the person had arrived and tried in accordance with the law of that Party. The agreement also stipulated that the Party in whose territory the aircraft or vessel had arrived was to take all necessary steps to enable the passengers and members of the crew to continue their journey or to return to the territory of the first Party. Finally, the Party in whose territory the aircraft or vessel had arrived was to take all necessary steps to ensure the protection and physical integrity of the aircraft or vessel, and of its cargo, passengers and crew and their luggage, during their stay in that territory.

(Mr. Malonga, Congo)

16. In the matter of air piracy, the problem of the right of asylum often arose. He felt that unlike the imperialist countries, which tended to grant asylum blindly to bandits and traitors to their national cause, the Special Political Committee had been able to make a distinction between common criminals and persons who requested asylum under article 14 of the Universal Declaration of Human Rights. In that connexion, he wished to make a basic distinction between the armed struggle of the national liberation movements which were waging a sacred battle, as was recognized by the international community, and the acts perpetrated by terrorists seeking money or publicity.
17. Mr. ALZAMORA (Peru) said that his delegation had been among those which had requested the inclusion of item 129 in the agenda of the current session and was a co-sponsor of the original draft resolution (A/SPC/32/L.2), because it felt that acts which disturbed the proper functioning of international civil aviation might harm relations among States and were an affront to those who upheld humanitarian values.
18. Under the circumstances, it was essential for the international community to study the problem and take action. The seizure of aircraft was an unacceptable act which must be halted by the adoption of concrete, effective measures, and that called for close co-operation between all States.
19. His country's position with regard to the struggle waged by oppressed peoples for their liberation and the defence of their legitimate rights was unequivocal; it was precisely because it was convinced of the justice and nobility of those causes that it could not condone acts which it deemed harmful and which were a disservice to what they sought to defend. Care must be taken not to view those acts in a simplistic or superficial manner, since they were the reflection of complex situations, but his delegation nevertheless condemned all acts of terrorism, whatever might be the reasons that prompted them. In that regard, his Government took the same position as the great majority of Latin American countries, which had been the first to indicate to the Secretary-General of the United Nations their intention to support any initiative likely to lead to an international consensus on the safety of civil aviation. That initiative was therefore not due to a single regional group but to several.
20. Although part of public opinion and a certain part of the press sought to give the impression that the Organization was indifferent and powerless in dealing with, among other matters, aerial hijacking, his delegation was firmly convinced that the time had come for the world community to take concrete action within the framework of the United Nations to put an end to a danger which could very easily become a characteristic feature of the modern era. Peru was about to accede to the Tokyo, Montreal and Hague Conventions, and it was convinced that all States Members of the Organization would adopt an equally determined attitude in the face of that serious problem so as to enable the United Nations to fulfil its task.
21. Although at one time an effort had been made to justify sea piracy, the world had nevertheless finally condemned and eliminated it. His delegation was

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(Mr. Alzamora, Peru)

convinced that the consensus which had emerged in the current instance concerning the safety of civil aviation and to which the Committee's debates had given even more weight constituted the starting point for genuine international co-operation for the protection of the fundamental rights of all peoples, which formed the basis of the coexistence of nations.

22. Mr. Blackman (Barbados) took the Chair.

23. Mr. OMAR (Libyan Arab Jamahiriya) said that his delegation did not object to giving item 129 a priority which would have been at least equally justified in the case of other items on the Committee's agenda. In taking that position, it had taken account of the following considerations.

24. His Government was convinced of the important role played in contemporary society by civil aviation, a means of communication which maintained and strengthened friendly relations among people and whose proper functioning the community of nations had the duty to ensure. It was primarily the small countries - including his own - which had a stake in seeing that the safety of that mode of transport and of their national air fleets was safeguarded.

25. It should, however, be emphasized that in the Middle East civil aviation had been the target of serious criminal acts. Mention might be made, for example, of the attack on the international airport at Beirut, with the destruction of 13 civilian aircraft, an attack which the Security Council had noted was premeditated and had resulted in a deterioration of the situation in the Middle East and which it had condemned in resolution 262 (1968); the tragedy of the Libyan Boeing 727 shot down by the Zionists on 21 February 1973 with the loss of 108 lives, another premeditated act which had been denounced by the international community and condemned by the Council of ICAO; and the hijacking in 1973 by Zionist military aircraft over Lebanese territory of an aircraft of the Iraqi civil airline flying from Beirut to Damascus whose passengers had been held and interrogated by the Israeli occupation authorities. The delegations of countries in that part of the world were particularly anxious to have the question studied by the United Nations.

26. As its Permanent Representative to the United Nations had stated in a letter dated 31 August 1976 addressed to the Secretary-General (A/31/188), the Libyan Arab Jamahiriya had "declared more than once, and on more than one occasion, that it does not approve of hijacking. It considers it a foolish and irresponsible act. It therefore completely denounces hijacking as an act which jeopardizes innocent human lives. It has legislation which stipulates that the perpetrators of such crimes shall be subject to the most extreme penalties. If, in a number of instances, it allowed hijacked planes to land at its airports, it was impelled to do so by purely human motives, and sometimes in response to requests from the parties concerned. In each instance the passengers and the crew of the aircraft were awarded every care and hospitality." On 19 March 1977, the Ambassador of the Libyan Arab Jamahiriya to the United States had made a similar statement at the University of Louisiana: he had emphasized in his statement that, although his country, which had enacted exceptionally severe legislation - perhaps the most severe in the world - against the perpetrators of acts of terrorism and hijacking, helped legitimate liberation movements which were struggling to accede to independence and national sovereignty, it had never encouraged any terrorist group and would never do so.

(Mr. Omar, Libyan Arab Jamahiriya)

27. The Libyan Arab Jamahiriya was a party to the Tokyo and Montreal Conventions and was currently taking the necessary constitutional steps to accede to the Hague Convention. Its position was therefore perfectly clear and his delegation had no difficulty in associating itself with the consensus achieved within the Committee on draft resolution A/SPC/32/L.2, with the improvements made to the original text. It hoped that the adoption of that constructive draft resolution by the United Nations would have favourable repercussions on the safety of international civil aviation. It believed that the provisions of paragraph 2 providing for "the exchange of relevant information" should be interpreted as being "without prejudice to the sovereignty or territorial integrity of any State". It also thought that, while it was desirable, as indicated in paragraph 3, that all States should ratify the three ICAO Conventions, it was no less urgent and important to "make serious studies" (para. 5) of the deep-seated causes of all forms of terrorism in all their aspects, in order to decide how to remedy them. It therefore urged other delegations to give fresh impetus to the work of the Ad Hoc Committee on International Terrorism. Lastly, it hoped that other questions, such as decolonization, humanitarian problems and apartheid, would be given the same priority and importance as item 129.

28. Having thus stated its position, which was the position of all the Arab countries, his delegation deemed it unnecessary to refute the lies and unfounded allegations put forward by the representative of the Zionist entity at the previous meeting.

29. Mr. PASTINEN (Finland) said that, like the representatives of ICAO and the International Federation of Air Lines Pilots Associations (IFALPA), the Finnish Government was concerned over the recent increase in aerial hijacking and threats to the safety of international civil aviation, the orderly functioning of which was essential to the protection of human lives as well as to international co-operation and communications. In view of the proportions which that danger had now assumed, the international community must take action, but while the resolution adopted by the Committee testified to the concern of all, it was the result of a compromise and thus represented only the smallest common denominator. His delegation would have welcomed the adoption of a much more precise and far-reaching text.

30. His country hoped that States which had not yet done so would sign the Tokyo Convention (1963), the Hague Convention (1970) and the Montreal Convention (1971), which had certainly helped to diminish the incidence of hijacking. It was also important to underline the importance of the internal legislation of States in the fight against aerial hijacking, and all States - whether or not they were parties to the Conventions - should provide severe penalties for hijacking; that would have both a punitive and a preventive effect. They should intensify their co-operation by transmitting information in cases where there was reason to believe that a hijacking was being planned. The International Civil Aviation Organization, for its part, should, in accordance with its mandate, devise stringent security measures covering both scheduled and charter flights and perhaps invite experts to study the question of strengthening the safety of civil aviation. It was also important to create sufficient facilities for the implementation of efficient security measures at domestic and international airports. Reciprocal assistance and the exchange of technical equipment would also be valuable. Finnish experts had already succeeded in creating technical equipment for that purpose, including a metal detector which had already proved its effectiveness. /...

(Mr. Pastinen, Finland)

31. The Finnish Government condemned without exception all unlawful acts which threatened the safety of civil aviation, irrespective of their motives. The international community must take a stand against aerial hijacking, by whoever and wherever it was perpetrated. No State should give refuge to hijackers. Finland, for its part, would act according to those principles.

32. Mr. EHSASSI (Iran) said that his Government was gravely concerned over acts of aerial hijacking or interference with civil air traffic and believed that attempts by terrorists to exert pressure on Governments by endangering the lives of innocent passengers and crew members could not be tolerated.

33. International civil aviation was a vital element of co-operation among States and it was essential to guarantee its safety, as was shown by the adoption of several conventions mentioned in paragraph 3 of the draft resolution which had been adopted. By ratifying or acceding to those Conventions, States which had not yet done so would discourage potential hijackers. In resolution 2645 (XXV), the General Assembly recognized that acts of aerial hijacking constituted a violation of human rights. Yet acts of air piracy had increased in various parts of the world.

34. As a sponsor of the original draft resolution (A/SPC/32/L.2), his delegation had joined in the consensus reached on the text, which had demonstrated that the Committee was not divided on the important question of the safety of international civil aviation and was unanimous in believing that it was necessary to adopt collective measures to guarantee that safety. However, following the changes made to the original text, the text adopted by the Committee included provisions which were not directly related to the question of the safety of international civil aviation. In paragraph 2, for instance, it would have been preferable to keep the general reference to the Charter in the original wording rather than to refer to the resolutions, declarations and agreements relating to the safety of international civil aviation. Moreover, the last operative paragraph in no way strengthened the text of the resolution, particularly since its contents could have been incorporated in paragraph 2.

35. His delegation was nevertheless convinced that the adoption of the draft resolution indicated that the international community was determined to combat air piracy, individually and collectively.

36. Mr. ALKASS (Democratic Yemen) said that his delegation, which had associated itself with the consensus resulting in the adoption of the resolution concerning the safety of international civil aviation, commended the efforts made by the international community to reach general agreement on the question.

37. It would, however, have preferred to see the text worded in such a way as not to prejudice the rights of the national liberation movements recognized by the United Nations and by regional organizations, in particular OAU and the League of Arab States, in their legitimate struggle against colonialism, racism and foreign occupation and domination.

38. Furthermore, his delegation thought that the resolution should in no way prejudice the debate relating to the two items currently on the agenda of the Sixth Committee: item 118, concerning measures to prevent international terrorism, and item 119, concerning the drafting of an international convention against the taking of hostages.

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39. Mr. KENNEDY (United States of America) pointed out that his delegation had joined in the consensus on the resolution concerning the safety of international civil aviation because it believed that it was the duty of the international community to express itself in clear terms on the unacceptability of violent interference with civil aviation. By condemning all who might perpetrate such acts - and his delegation supported that condemnation - the resolution was a clear expression of the outrage of the international community; it was in its interest to take effective collective action against those unlawful acts. Of course, all States should now proceed to take joint and separate action to implement the provisions of the resolution, including ratifying the Tokyo, Hague and Montreal Conventions and working with ICAO to develop better security procedures and standards. The representatives of ICAO and of the Airline Pilots Association had accurately described the nature and magnitude of the problem.
40. Replying to one delegation's question concerning a terrorist who was now in the United States, he emphasized that the terrorist was not being sheltered; he had entered the country illegally under false papers and he would be extradited in accordance with United States law. No cause justified the hijacking of planes and while the American people sympathized with those fleeing repression, it could not condone such acts as a means to that end. The United States had committed itself to the enforcement of the prosecution and extradition measures contained in the Hague and Montreal Conventions.
41. Mr. MEERZA (India) said that his delegation had requested inclusion of the item on the safety of international civil aviation in the Committee's agenda and had co-sponsored the draft resolution adopted by consensus because India was deeply perturbed by the increasing use of violence against civil aviation. The Indian Prime Minister had emphasized the urgent need to end the hijacking menace and had said that it would be immoral not to use violence against hijackers.
42. India was a signatory of the 1970 Hague Convention since 14 July 1971. It was also a signatory of the 1971 Montreal Convention since 11 December 1972. Furthermore, it had acceded to the 1963 Tokyo Convention in 1975 and had given effect to it. Thus, its position was based purely on humanitarian principles which all nations in the world respected and on which the United Nations Charter was founded.
43. In view of the urgency with which his Government viewed the question, his delegation had not considered it relevant to deal with its political aspects although its views on those aspects were well-known. It was therefore glad to note that the Arab and African States had joined in the consensus which had developed in the Committee.
44. In conclusion his delegation proposed that the security measures in effect at airports should also be taken at the entrance to planes, as an additional means of preventing acts of terrorism.
45. Mr. TEMPLETON (New Zealand), recalling that his delegation was a co-sponsor of the original draft resolution (A/SPC/32/L.2), said that although his country had never been touched directly by terrorism and hijacking, New Zealand travellers

(Mr. Templeton, New Zealand)

abroad had been the victims of both. But that was not the only reason why New Zealand condemned those acts; its condemnation was based on a humanitarian and moral judgement about the very nature of acts of terrorism which endangered innocent lives. Regardless of the merits of the cause which a terrorist was pursuing, his acts were to be condemned because no end could justify such means.

46. His delegation was therefore gravely concerned that despite previous United Nations resolutions on aerial hijacking in 1969 and 1970 and despite the conclusion of two important new conventions dealing with safety of international aviation, the 1970 Hague Convention and the 1971 Montreal Convention, in addition to the 1963 Tokyo Convention, acts of aerial hijacking had continued to occur regularly. In that connexion, he stressed that many Members of the United Nations were not yet parties to those Conventions and his Government therefore joined earnestly in the appeal in the draft resolution to ratify the Conventions. It was equally important that all States should take stringent measures in their own territory to prevent acts of hijacking from taking place.

47. His delegation's unqualified opposition to all acts of aerial hijacking or other terrorist acts did not mean that the underlying causes of terrorist acts should be ignored. But, as the Secretariat had remarked in a 1972 study, terrorism threatened or endangered the lives and fundamental freedoms of the innocent, and it would not be just to leave them unprotected until the causes had been remedied and the purposes and principles of the Charter had been given full effect. His delegation felt that those remarks were even more applicable in 1977 and the resolution adopted by consensus was an earnest of the collective determination of the Members of the United Nations to provide adequate protection of the innocent traveller. However, adoption of the resolution was not in itself a solution; what was needed was its speedy and effective implementation by all Member States.

48. Mr. CARRANCO AVILA (Mexico) said that his delegation had joined in the consensus on the draft resolution because his Government was anxious to be a party to any United Nations action to put an end to acts of violence committed against passengers, crew and aircraft, as well as other acts, regardless of the perpetrators, interfering with civil aviation.

49. Mexico was one of the 88 States Parties to the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, one of the 79 States Parties to the Hague Convention for the Suppression of Unlawful Seizure of Aircraft and one of the 75 States Parties to the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Since the effectiveness of those Conventions depended on their universal implementation, it was imperative for the General Assembly to call upon States Members of the United Nations and ICAO which were not yet parties to ratify them or to accede to them without delay.

50. Mexico had always favoured the adoption of effective measures negotiated in international forums and was prepared to participate actively in all efforts by ICAO to guarantee the safety of international civil aviation.

51. Mr. HEDSTROM (Sweden) said that the Committee should feel gratified at having

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(Mr. Hedstrom, Sweden)

arrived at a consensus on the question of the safety of international civil aviation: the international community had thereby stressed the importance it attached to the problem and formally acknowledged that aerial hijackings and similar acts of violence constituted international problems which would make international relations more difficult if they were not dealt with in a spirit of co-operation.

52. Any act of hijacking was unacceptable, regardless of motive. Although his delegation had experienced some difficulty in accepting certain elements of the text of the resolution, it had shown its willingness to reach a consensus and to state that such criminal acts were a threat to the life and safety of human beings and a violation of their human rights.

53. The most important aspect of the resolution was that it established beyond a doubt that aerial hijackings and other acts of violence interfering with civil aviation were condemned by the international community. It was also important that, by the resolution, the Assembly called upon all States to take joint and separate action to prevent such acts, including the strengthening of security arrangements at airports or by airlines and through the exchange of relevant information.

54. The resolution should be regarded as a vital step towards further co-operation among States in preventing hijackings. His delegation urged States which had not yet done so to accede to the Tokyo, Hague and Montreal Conventions because, in his delegation's view, they represented a solid basis for developing that co-operation.

55. Mr. NIMAH (Jordan) said that his Government was firmly opposed to hijackings or the taking of innocent hostages and it would further recall that during the most recent hijacking, many Arab countries had refused to give refuge to the hijackers or barter away their principles, which prohibited them from tolerating such acts. The only exception to that rule had been a country motivated by purely humanitarian considerations, when technical measures had had to be taken to protect the lives of the passengers and crew. It should also be added that the first gesture of the Federal Republic of Germany after the rescue had been to thank Somalia for its help. There was therefore no disagreement either in principle or in practice on the need to put an end to the taking of hostages.

56. It must be emphasized in that respect that the most effective way, indeed the only way, of eliminating such practices was to prevent them, as Jordan had been doing, by taking energetic measures even at the cost of some inconvenience. Without casting doubt on the utility, in fact the urgent necessity of a convention or declaration, and while in fact fully endorsing such instruments when they related to innocent civilian hostages, the Jordanian delegation considered that the problem must be attacked at the source; words would not discourage hijackers and it was up to all Governments to take stringent preventive measures. Governments must also be aware of the extent of their responsibilities: it should be spelled out, for example, what a State should do if a hijacked aircraft with technical trouble asked permission to land on its territory.

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(Mr. Nimah, Jordan)

57. The Jordanian delegation was alarmed to see the Israeli representative exploiting such a crucial issue, involving a vital means of communication, for political propaganda to malign the Arab countries and the PLO. Faced with such allegations, he could only recall that hijacking was a universal phenomenon, it was not of recent origin, and it had not started in the Middle East. The disease had spread there only after a suitable environment had been provided by continued Israeli aggression. Moreover, the Arab countries and the PLO had repeatedly condemned such acts, and effective precautions were being taken at Arab airports. Whenever splinter groups or desperate individuals had committed such acts they had been automatically and categorically condemned by the Arab States and the PLO. Yet it must be remembered that all acts of violence committed in the Middle East were directly connected to the injustice and the inhumane circumstances Israel had inflicted on a whole people. Without wishing to justify violence, would it not be proper to condemn the forces that had led to it? Finally, Israel should not forget its history of terror. The Zionists had not hesitated to shoot down a civilian aircraft killing all the passengers on board because its pilot had made a navigational error. They had on several occasions forced aircraft to land at their airports, and they had destroyed a whole fleet of aircraft on the ground at Beirut, with planning and determination. The crime of hijacking was always to be condemned, but it would be proper to recognize a distinction between a desperate individual and a fully responsible State.

58. It was high time to take the universal phenomenon seriously and his delegation therefore unreservedly supported the resolution which the Committee had adopted.

59. Mr. Neugebauer (German Democratic Republic) resumed the Chair.

60. Mr. PALMER (Sierra Leone) said that the international community must turn its attention without further delay to the serious problem of hijacking, and join in the efforts to find a solution. The problem was diverse and sensitive however, and neither resolutions, conventions or treaties, nor stiff legislation and strict airport security would suffice to put a stop to aerial hijacking.

61. When people went so far as to gamble their liberty and their lives and to use force against innocent people, it was appropriate to ask why they did so. Some of their motives were political: oppression and injustice had brought them to such a pitch of frustration and despair that they set no value on a life which for them was one only of humiliation and suppression and they would stop at nothing to give their case publicity and to acquire respect, or even sometimes material benefits. Such acts also had social causes; the spoiled children of a wealthy society or, on the other hand, those who had felt that they would never be loved enough and had turned to violence to assert themselves, or as a challenge. Others were mainly motivated by mercenary considerations, the hope of exacting a large ransom. In fact all of them acted to get publicity, and sometimes that was their only reason. The question was therefore how far the press should report their crimes, without going too far. In such a complex question, parents and States must change their attitude to youth.

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(Mr. Palmer, Sierra Leone)

62. Whatever their motives, hijackings and other aerial crimes were intolerable and must be condemned. Sierra Leone strongly condemned them and thought that it was in the interest of small countries to co-operate in a solution to the problem because, as one of the financial consequences of colonialism, they depended on foreign lines for their transport.

63. The adoption of a resolution on air safety would make world public opinion more sensitive and prove to the sceptical that the United Nations was taking action; nevertheless, the spirit and contents of the resolution must be put into effect. Small countries such as Sierra Leone with no large or sophisticated military capabilities attached considerable importance to paragraph 2 of the resolution which provided that action against crimes threatening the safety of aviation could be taken jointly or separately, but without prejudice to the sovereignty or territorial integrity of any State. The value and effectiveness of the resolution would be measured against that safeguard. A rescue operation carried out by one country on the territory of another must not be at the expense of the latter or carried out in any spirit of arrogance or defiance. It must on the contrary be a manifestation of co-operation and mutual respect. Small States did not want any military giant storming their countries and killing and humiliating their people when for humanitarian reasons they had allowed a hijacked aircraft to land. In that connexion he recalled the Entebbe raid, the moral value and legal status of which were still in dispute - a fact which put the Mogadishu rescue operation in an even better light.

64. It was well known that the two major hostage rescue operations of modern times had been carried out in African countries. Therefore, the smaller States and particularly the States of Africa which were more concerned with development than with military problems, wanted to be assured that their genuine willingness to co-operate in combating aerial crimes would not rebound against them.

65. Mr. PEREIRA (Portugal) referred to his Government's great interest and its deep satisfaction at the adoption by general consensus of a resolution condemning unequivocally acts of terrorism in civil aviation.

66. If the resolution was considered by many to be too weak or lacking in certain important elements it was clear that the possible political implications of the matter would render it difficult if not impossible to adopt a more precise text. He recalled the problems encountered in placing the item on the agenda or giving it due priority and the long consultations which had been necessary to agree on the text. It might not be perfect but it covered the essentials and showed that for the first time the United Nations, by the unanimous voice of all its States Members, had expressed its willingness to assume its responsibilities in the field. If the resolution was duly followed up, nothing would prevent the international bodies more directly concerned from taking the necessary steps towards the conclusion of a convention to reinforce existing air safety measures. If it was important to adopt legal measures to condemn air terrorism, it was just as important to try to prevent it. If such action was taken without delay, that would bar the possibility of a world-wide stoppage in civil aviation with all its dramatic and unforeseeable consequences and it would prevent the threat to world peace and security which would result if the present state of affairs were allowed to continue.

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67. Mr. SIBAKI (Syrian Arab Republic) said that his delegation had joined the consensus for the adoption of the draft resolution and wished to recall that the Syrian Arab Republic condemned all forms of aerial hijacking whether by individuals or by States, and supported any action to eliminate threats to civil aviation, provided that the action was based on the provisions of the United Nations Charter and on the relevant resolutions, instruments and agreements, and without prejudice to the sovereignty and territorial integrity of States. His Government considered however that it would only be possible to stop aerial terrorism, and firmly establish the security of civil aviation, by considering the deep-seated reasons which led people to commit such crimes, and by eliminating all forms of oppression, repression, humiliation, occupation and racial discrimination which deprived people of their freedom, their territorial integrity and their right to self-determination, thus obliging them to seek their freedom through violence. The Syrian delegation therefore felt that when considering agenda item 129 it was necessary to bear in mind the rights of people struggling for sovereignty and independence throughout the world.

68. The international community had recognized the Algerian people, represented by the FLN, as a political entity even before the signature of the Evian agreements providing for Algerian independence. Why should not the same apply to the peoples of Palestine, Zimbabwe and Namibia, who were now engaged in the same struggle as had only recently been waged by the peoples of Viet Nam, Mozambique and Angola, whose efforts had been crowned with success and which were now full Members of the United Nations? Although the Palestinian people still did not enjoy their full rights, he could assure the Zionist representative that it would not be long before they recovered their homeland, their homes, their territorial integrity, their sovereignty and their independence. They would then have their own airports, aircraft and airlines. They might not have those things yet, as the representative of Israel had remarked in his statement, but they soon would. That representative had seen fit to comment that the PLO only had observer status with ICAO, but he must be aware that the PLO was a full member of the League of Arab States, the non-aligned movement and the Islamic Conference. For all those reasons his delegation therefore considered that the inviolability of the rights of the oppressed peoples, represented by their national liberation movement, must be duly taken into consideration in all international fora and at all international conferences.

69. The Arab countries had never given asylum, either collectively or individually, to those guilty of international air piracy, and he rejected as false the allegations put forward at the previous meeting by the Zionist representative, who was merely seeking to distract attention from the acts of air piracy committed by his own country. The representative of the Libyan Arab Jamahiriya had mentioned the attacks on Beirut Airport and on Libyan, Iraqi and Lebanese aircraft. There was no point in further discussing those well-known incidents. The Arab countries had always been true to their ideal of brotherly love and tolerance, but they now found it necessary to defend themselves against barbarous aggressors. They nevertheless supported peace-loving States and acted in accordance with the principles of the Charter and international law. There was no need to recall the

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(Mr. Sibahi, Syrian Arab Republic)

act of piracy committed against the entire Arab population of Palestine, which had been expelled from its homeland and scattered to the four corners of the globe 30 years earlier.

70. His delegation would support any resolution aimed at combating acts of terrorism of any kind and curbing them. It hoped that by voting in favour of the draft resolution just adopted, the international community would have helped to increase the safety of civil aviation.

71. Mr. PITARKA (Albania) said that, as in the past, his Government condemned all acts of terrorism which jeopardized the lives of innocent people. It must be noted, however, that terrorism was not merely confined to hijackings and kidnappings. Far more ugly were the acts of subversion and aggression which the imperialist Powers committed against sovereign peoples and States, and the acts of violence and terror committed by the fascist and racist régimes against freedom-loving peoples in various parts of the globe. His delegation could not reconcile itself with the efforts made to magnify some acts of terrorism and capitalize on them, and pass over real acts of terrorism in silence. All forms of terrorism must be condemned, and particularly the terrorism which had been made into a political system by the aggressive imperialist Powers and the reactionaries. Isolated acts of terrorism were merely a reflection of the political, social and moral crisis affecting bourgeois and revisionist societies.

72. The fight against terrorism, which had been purposely accentuated, sometimes served as a pretext for certain States to distract attention from the real causes of terrorism and from their serious internal problems, or to cover up their acts of aggression and subversion against other countries and their efforts to undermine the national sovereignty and territorial integrity of those countries. The Albanian delegation was opposed to all attempts to use the fight against terrorism as a means of interfering in the internal affairs of a sovereign State, to justify acts of aggression committed by the imperialist and reactionary Powers against the peoples fighting for their freedom and independence. Those activities constituted acts of real terrorism, aggression and interference in the internal affairs of sovereign peoples and States, and should be condemned and opposed.

73. Mr. VARELA (Costa Rica) expressed his delegation's satisfaction at the adoption by the Committee of the draft resolution, as amended. That showed that the international community was aware of a problem which, on account of its causes and its effects, transcended the domestic jurisdiction of States and threatened international peace and security, which the Organization had the duty to protect.

74. Although Costa Rica had not suffered as much as other countries from the consequences of hijackings committed against it, it nevertheless unequivocally condemned terrorism, which it considered a violation of human rights. Although represented as a political act, it was really nothing but a common crime committed against victims extraneous to the cause alleged as a pretext. Costa Rica, which had always supported proposals for the drafting of international instruments against terrorism, strongly rejected the argument that recourse to terrorism could, in certain cases, be considered a lawful means of achieving political ends.

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(Mr. Varela, Costa Rica)

75. Whatever the reason given - and his delegation made no value judgement concerning it - the delegation of Costa Rica could not accept as just or lawful any act that endangered the lives of human beings, or resulted in the destruction of their property or caused them grievous damage. While it might conceivably be possible to justify a direct action against presumed culprits, it was despicable and unjust to make victims of innocent third parties. That was a negation of human dignity, which Costa Rica has always upheld.

76. However, the adoption of the draft resolution would not suffice to put an end to the threat now hanging over international and national air transport unless Governments, for their part, took effective measures to eliminate, as far as possible, the causes of the problem and improved security measures at airports. However, the consensus achieved at least showed that the international community was really disturbed, and intended to take more effective measures to ensure the safety of air transport. His delegation also hoped that Member States would ensure that the territory of some States did not become a place of open asylum for those who deserved the unanimous censure of the international community.

77. Mr. HARRY (Australia) said that his Government considered it essential that the General Assembly should find practical and widely supported solutions to combat hijackings. Australia would continue to give full support to efforts to achieve that end.

78. The resolution adopted by the Committee was not, of course, a final solution. All Member States must not only ratify the Conventions on the safety of international civil aviation but must also accept and implement, at airports and on board aircraft, the strict safety measures which the International Civil Aviation Organization was endeavouring to work out.

79. Whatever the motives for the crime of hijacking and the circumstances surrounding such incidents, the United Nations General Assembly made clear, in that resolution, its determination to punish such acts and protect innocent victims.

80. The wording of the resolution, although perhaps not ideal, was adequate as a reiteration of the principle that there must be no safe haven for criminals who had exploited hostages or had taken human lives.

81. His delegation hoped that the resolution, adopted by consensus, would make it possible for the international community to give priority in future to the problem of the safety of international civil aviation, and not to the political and controversial aspects of hijacking, terrorism and the taking of hostages.

82. Monsignor CHELI (Permanent Observer of the Holy See to the United Nations) said that Pope Paul's offer to give himself as a hostage in a recent hijacking had heightened the world's awareness of the gravity of that crime, which was being perpetrated with increasing frequency against members of the global community. The Holy See condemned hijacking, a form of violence all the more odious in that it was practised against victims who, for the most part, had nothing to do with the object of the underlying protest.

(Monsignor Cheli)

83. The Holy See had reiterated on several occasions its firm opposition to violence of any kind. In fact Pope Paul VI had chosen as the theme for the next World Peace Day the topic "No to violence, Yes to peace", which was a logical development of his theme for 1977: "If you want peace, defend life". Violence was, perhaps, motivated by the frenzy of domination, which was called power, or by the frenzy of consumerism, known as possessiveness. Such violence was reflected in forms of racism, genocide and torture - to name only a few such evils - or in the imposition and maintenance of unjust and discriminatory political or economic structures. There was also the violence of the weak - those who were deprived of certain fundamental rights and whose desire for life and justice exploded in violent actions. Those two aspects might be hard to disentangle, and the injustice might be mutual.
84. For those reasons the Holy See believed it imperative that the Assembly should attempt to ensure all possible steps not only to limit and suppress acts of hijacking of any means of transport, but also to eliminate the conditions that led to the unlawful use of force.
85. Mr. NAJAR (Israel), speaking in exercise of the right of reply, expressed astonishment at the fact that certain delegations had seen fit to confound the question of aerial terrorism with some questions of political ideology that often served as excuses for those criminal acts. He was always very happy to hear condemnation of such acts from a notorious supporter of international terrorism such as the Libyan Arab Jamahiriya; such recognition of a fault left at least some hope for redemption.
86. With regard to the Israeli Government's action at Beirut in 1968, that action had been intended precisely to put an end to aerial terrorism based at Beirut, for the world at that time had not yet been aware of the seriousness of the problem. He recalled that on that occasion there had been no loss of human life.
87. Similarly, when the Israeli Government had attempted in 1973 to apprehend the terrorist George Habash by diverting a Lebanese aircraft, there had been no loss of human life.
88. It seemed, however, that there was always a double standard. When Libya diverted a British aircraft carrying members of a still-born Sudanese Government and handed them over to the executioners of Khartoum, or when Algeria hijacked the aircraft carrying Moïse Tshombé and subsequently let him die in prison, the world remained silent. But if Israel tried to apprehend and bring to justice the man who had made the PLO a leading agent of aerial terrorism, the world was outraged and indignant.
89. With respect to the accusations made by the representative of the Syrian Arab Republic, he would have an opportunity to reply during the Committee's subsequent debates and to explain to that representative the simplistic nature of his political views, which did very little to conceal his country's ambitions.

(Mr. Majar. Israel)

90. In the meantime, he urged the representative of the Syrian Arab Republic to read Machiavelli, who, with his profound wisdom had observed, "I believe that it is one of the essential principles of prudence to refrain from verbal threats or insults. Threats and insults do not weaken an adversary; rather, the first warns him to be on his guard, while the second only sharpens his resentment and his ability to do you harm."

91. Mr. KAMEL (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that before commenting on the mendacious allegations just made once again by the representative of the Zionist entity, he wished to reaffirm that the Palestine Liberation Organization - whose position in that respect was well known - had always condemned aerial hijacking and had repeatedly had occasion to co-operate positively in the efforts made to resolve such situations. The PLO, recognized today as the sole legitimate representative of the Palestinian people, enjoyed growing prestige at the United Nations and the specialized agencies and had just been granted observer status by ICAO, a decision which the Zionist representative would no doubt deplore.

92. One aspect of the question had perhaps been given insufficient attention: the fact that aircraft hijackings endangered the lives of a few individuals. The PLO certainly had the most absolute respect for the life, dignity and freedom of every human being, but the members of the Committee would agree that the hijacking of an entire people, held hostage for more than 30 years, was far more serious.

93. For what was a hostage? Without going into legal subtleties, one could define a hostage as someone who had been deprived of his freedom by force and was defenceless and subject to the whim of the one holding him prisoner. And was it not true - as had been agreed by the international press and public opinion and by the defenders of human rights throughout the world - that that was the situation of Palestinians and other Arabs robbed of their homeland, their freedom and their property by the Zionist occupier? As the victims of inhuman policies and practices censured by international law and repeatedly condemned by the United Nations, they were deprived of all legal protection and subject to the arbitrary power of the Israeli military authorities. That was an unquestionable act of piracy which was all the more reprehensible because it endangered international peace and security.

94. The representatives of the Zionist entity should be the last to dare to speak of the safety of civil aviation, for their past record was heavy with criminal acts. It was enough to recall the attack against Beirut airport, which had destroyed 13 civil aircraft and had been condemned by the Security Council in resolution 262 (1968), and the destruction of a Libyan civil aircraft in February 1973, a tragedy in which 108 innocent people had been killed.

95. It was equally surprising to hear talk of maritime piracy from Israel, which had stolen a number of French ships from the harbour of Cherbourg and had, quite recently, seized some ships loaded with uranium, as reported in the American press: thus, Israel could claim the distinction of being the last country in modern times to engage in piracy on the high seas.

96. The Zionists had never respected the lives of human beings, the freedom of peoples, the rules of international law, the provisions of the Charter or the resolutions of the United Nations, and therefore their words could not deceive anyone.

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97. Mr. OMAR (Libyan Arab Jamahiriya), speaking in exercise of the right of reply, said that the representative of the Zionist entity had, as usual, tried to conceal behind a tissue of lies his inability to explain why - among other criminal acts in which it frequently engaged - Israel had shot down a Libyan civil aircraft in mid-air and caused the deaths of its 108 occupants.
98. The Libyan Arab Jamahiriya had always taken a position against all acts of terrorism, but it was proud of the moral and material support which it openly gave to the peoples struggling to gain independence; it knew full well that in doing so it was acting in conformity with the principles of the United Nations Charter.
99. Mr. SIBAHI (Syrian Arab Republic), speaking in exercise of the right of reply, said that the representative of Israel had once again resorted to the same specious arguments in an attempt to sabotage the spirit of co-operation and dialogue established both in the Special Political Committee and in the other Main Committees of the General Assembly and to politicize the debates.
100. When his delegation had explained its vote, it had wished - obviously to the displeasure of the representative of Israel - to show what were in fact the objectives and practices of the Zionist terrorists. The Committee would, in any case, have an opportunity to examine that question again during its consideration of items 55 and 57, and at that time the facts would speak and cast a revealing light on the Machiavellian nature of the policies pursued by Israel.
101. Mr. TAIBI (Algeria), speaking in exercise of the right of reply, said that he could not remain silent in the face of the intolerable attitude of the representative of Israel. At its most recent sessions, the General Assembly had unequivocally condemned the policy of aggression pursued and the acts of terrorism perpetrated not by private individuals but by a State Member of the United Nations - although Algeria did not recognize the Zionist entity as having such status. Without wishing to engage in idle polemics, he thought it useful to point out that the representative of Israel should be the last one to speak against acts of terrorism, which his Government had made into a State policy.
102. Mr. MAKKAWI (Lebanon), speaking in exercise of the right of reply, observed that it had become a habit for the representative of Israel, in all the Main Committees of the General Assembly, to speak on questions which did not concern it, in order to evade the criticism directed by the international community against its policies and to divert the attention of the Committee from the fundamental questions it was considering.
103. In order to answer the comments of the representative of Israel concerning the International Airport of Beirut, he would confine himself to quoting the first three operative paragraphs of resolution 262 adopted by the Security Council in 1968, which read as follows: "Condemns Israel for its premeditated military action in violation of its obligations under the Charter and the cease-fire resolutions; Considers that such premeditated acts of violence endanger the maintenance of the peace; Issues a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decisions".

(Mr. Makawi, Lebanon)

104. In his view, that resolution left no doubt about the nature of the act committed by Israel against Lebanon.

105. The CHAIRMAN said that the Committee had completed its consideration of item 129.

The meeting rose at 6.10 p.m.