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SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mr. GAVIRIA (Colombia)

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

AGENDA ITEM 113: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS, AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE AD HOC COMMITTEE ON INTERNATIONAL TERRORISM (A/9028; A/31/122, A/31/182, A/31/188) (continued)

1. Mr. AL-ADOOFI (Yemen) said that, since the twenty-seventh session when the item under consideration had been included in the agenda of the General Assembly, the Sixth Committee had been concerned with the important and complex question of international terrorism. There was no doubt that in recent years there had been an increase in acts of violence and terrorism solely for criminal purposes. Those acts merited the strongest censure from all the peoples of the world, and the international community should adopt effective measures to put an end to them. The international community had, however, realized that there was another category of persons struggling for freedom and independence, namely national liberation movements which were fighting against racist régimes and imperialist and Zionist forces. His delegation unequivocally condemned terrorist acts which endangered innocent lives and violated human dignity, but, like many others, it resolutely defended the right of national liberation movements to use all necessary means to achieve their aims. The imperialist, racist and Zionist régimes were becoming increasingly tyrannical, refused to recognize that the era of colonialism was at an end, and yielded only to violence. In that connexion, reference should be made to State terrorism, which constituted a flagrant violation of the Charter of the United Nations and of the purposes of the Organization; the most extreme manifestation was to be found in Israel. Israel, which had been created by acts of terrorism, had pursued a policy of genocide and terrorism not only against the Palestinian population, but against other Arab peoples. Israel's terrorist acts were a serious threat to peace, as the international community had recognized when, through the General Assembly, it had repeatedly condemned Israel and declared that zionism was a form of racism.

2. In conclusion, he said that his delegation was a member of the Ad Hoc Committee on International Terrorism and, as such, welcomed the current debate and hoped that the mandate of the Ad Hoc Committee would be extended.

3. Mr. ARNELLO (Chile) said that the history of the United Nations showed a series of successes and failures. In many ways and on many matters, the United Nations had carried out important work and achieved positive results in an impressively short period of time, considering the extent of what had been achieved. However, on some matters, the United Nations had failed completely, for instance on measures to deal at the international level with the threat and the tragic reality of terrorism. In that connexion, the United Nations had a dual responsibility: first, for not having been able to secure complete international condemnation and effective universal penalties; and, second, for not having roundly condemned or

(Mr. Arnello, Chile)

punished terrorism and for having created a no-man's land in relation to terrorism from the international standpoint. Many terrorist groups felt themselves authorized to act since they could do so with impunity if they were merely able to cross a frontier and find refuge in another State.

4. The pretext of classifying terrorist acts according to the motives alleged by the perpetrators had produced the most negative effect. In that way, terrorist groups had been able to conceal their aims by adopting pseudopolitical positions and creating genuine terrorist networks or centres, with their own organizations, standards and rules, systems of financing and co-ordination, and mysterious contacts with certain Powers.

5. The enormous variety of offences of that type was further complicated by the assessment of the motives prompting or attending them, all of which made it very difficult to define the offence. The essential and historical aim of terrorism was to destroy society by means which involved the use of violence and the arousing of terror among the population. With the passage of time, however, those aims and purposes had been extended to the direct assassination of certain persons.

6. In the opinion of Raymond Aron, an act of violence was considered "terrorist" when its psychological effects were disproportionate to its purely physical results. According to Brian M. Jenkins, terrorism could refer quite properly to a specific set of actions the fundamental intention of which was to produce fear and alarm for various purposes. The Uruguayan professor, Eduardo Jiménez Aréchaga, defined terrorism as acts which in themselves could be traditional forms of an offence but which were carried out with the deliberate intention of producing panic, disorder and terror in an organized society with a view to destroying the social order, paralysing the forces of reaction of the society and intensifying the misfortune and sufferings of the community.

7. There was, however, a very accurate and simple definition which constituted a whole programme and a battle slogan. That was the definition given in the Soviet Encyclopaedia, according to which terror was the policy of systematic intimidation of adversaries, including their physical extermination. That was the essence of the recognition of terrorism as a weapon of political struggle, and it was characterized by the essential immorality of the sacrificing of innocent victims and the use of assassination as a political weapon. Such were the fundamental elements which had been used by international terrorism and which constituted the basis of its acceptance by various States and political positions as a means of international political action. That concept expressed the idea that terrorism was a form of political action which permitted terrorist groups to arrogate to themselves an impunity or protection which they did not merit.

8. The political positions of various countries had so far made it difficult to agree on a common definition of international terrorism. There was a general consensus that international terrorism was any act which had clear international repercussions. Any form of infringement of the international system and its rules

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was also regarded as international terrorism. Those acts, however, were only a very small part of what could be regarded as international terrorism. The basic problem in finding a definition lay in the fact that from it must derive the various measures to deal with international terrorism. Each State wished to condemn those acts which it itself regarded as acts of terrorism. Some States tried to include in the concept of international terrorism all possible acts by foreign adversaries, national dissidents or exiles which they found it convenient to regard as such for the purpose of maintaining the status quo. Other States tried to reject definitions which could be translated into legislation that could affect their national sovereignty. Finally, other States deliberately excluded from their definition of terrorism aspects such as wars of liberation and guerrilla warfare.

9. With regard to the aims of terrorism, one of the most frequent was to extract specific concessions such as ransom money, the release of prisoners, and so on. Almost without exception, terrorist acts sought publicity, but some terrorist acts concentrated on the systematic creation of socio-political disorder and the demoralization of society. Some concerted acts of terrorism were carried out with the primary intention of provoking growing repression and counter-terrorism, while some acts of terrorism were of a provocatory or diversionary nature or were intended to bring discredit. Terrorism also practised violence against its own members in order to guarantee their loyalty and, outside its own ranks, terrorism "punished" those presumed guilty. In such cases, as in the other cases mentioned, each act could achieve one or more objectives.

10. For more than a century, international law had been concerned with terrorism. A significant instrument had been the Brussels clause of 1856, which mainly concerned extradition in connexion with attempts on the life of Heads of State. Subsequently, prior to the Second World War, various conferences had been convened by the International Bureau for the Unification of Penal Law; mention should be made, in particular, of the fourth such Conference, held in Paris. During the post-war period, it was important to mention the draft Code of Offences against the Peace and Security of Mankind, prepared by the International Law Commission in 1954, in which terrorism was regarded as an international offence and a terrorist was understood to be any person who undertook, supported or tolerated terrorist activities in the territory of another State, including attacks on persons holding public office or on public property, or attempts to provoke a general risk which could endanger human life. At the regional level, the draft Convention prepared by the General Assembly of the Organization of American States deserved mention and, among the various instruments designed to guarantee the security of air traffic, mention should be made of the Tokyo Convention of 1963, the Hague Convention of 1970 and the Montreal Convention of 1971. Of the measures adopted by the General Assembly, mention should be made of one of the most recent, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. Despite such a diversity of instruments, however, the international community had been unable, and was still unable, to formulate a politically and legally satisfactory definition of international terrorism.

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11. The United Nations must fully shoulder its responsibilities in the matter and resolutely, unhesitatingly and unequivocally condemn international terrorism and, at the same time establish international liability regarding the protection, encouragement or impunity accorded to terrorist groups. The basic immorality of terrorism, and its incompatibility with the rights of the individual made it wholly inconsistent with the international order. Because of its nature, and its moral, legal and political wrongness, terrorism was against all the principles and rights pertaining to the human person and was therefore an international crime. Those who failed to condemn terrorism or to punish terrorists weakened or obstructed international action and encouraged the existence of terrorism and impunity for its perpetrators. According to the legal and moral order established by the United Nations, terrorism was not a lawful weapon, and could never be one, and the United Nations could no longer refrain from condemning terrorism or honouring the principles and purposes of the Organization and its total commitment to the precepts of the Charter. The hundreds and thousands of victims of international terrorism in recent years were a moral responsibility of the Organization, and States must take full responsibility for combating that threat and assume the moral, legal and political obligation to punish it effectively.

12. Mr. LEIGH (United States of America) said that terrorism continued to plague the international community and to devastate the innocent. It was accordingly incumbent upon all Governments to join in taking the measures that the international community could take to deal with that problem, for a number of reasons. Governments had a paramount obligation to protect the lives of their citizens. The inherently indiscriminate nature of terrorism made it a threat to people everywhere. Not only was the terrorist act itself aimed at taking human lives but the reaction that such acts engendered also sometimes resulted in loss of life. Terrorism was the starting-point of a process that was likely to lead to a threat to the peace, or worse.

13. Governments were obliged, moreover, to consider the effect on their standing and that of the international community of tolerating acts of terrorism. Could any Government be expected to acquiesce in the continuing victimization of its citizens? Could an international community which tolerated acts of terrorism maintain the self-respect necessary for its survival? Could the United Nations be taken seriously as a force for human rights if it was indifferent to internationally promoted murder?

14. The United States Government believed that the international community must undertake measures to deal with terrorism, grounded on the same humanitarian concerns that underlay laws of war. If it was possible to limit the conduct permissible to a State fighting for its survival in accordance with its right of self-defence, then surely it was possible to limit actions which, whether undertaken for base or noble goals, were not considered legal by States under international law, especially where such acts were of an international character or violated fundamental human rights.

15. In 1972 the United States had submitted to the General Assembly a draft convention for the prevention and punishment of certain acts of international terrorism. The draft had been aimed solely at the spread of terrorism to persons

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and places removed from the scene of the conflict. The United States delegation invited others to support its approach or to propose something better.

16. As for the objections raised to the United States proposal, although the United States had a measure of sympathy and a larger measure of understanding for some of the motives behind some of those arguments, it found them wholly unconvincing from the standpoint of the progressive development of international law and the preservation of the peace.

17. If there were horrors and outrages that even States fighting for their lives could not indulge in, there must be limits to what conduct groups or individuals might indulge in. The sooner it was recognized that everyone agreed that there were limits on permissible conduct of groups or individuals to use force to promote their objectives, the sooner would it be possible to talk about what those limits were or ought to be. The differences of opinion on the matter were susceptible of solution by rational discourse.

18. The argument that one could not take action against groups or individuals without taking action against States was transparently fallacious. The world was full of problems, and if the international community refused to deal with one of them until it could deal with all of them, it would never deal with any. For example, the Organization's inability to eradicate violations of human rights in all cases could not be a basis for refusing to try to alleviate human rights violations in southern Africa.

19. The conduct of States was already governed by the rules contained in the United Nations Charter, with its prohibition of the use of force. Where fighting nevertheless broke out, the laws of war had had great humanitarian effect and were now being revised. But new rules were not needed to inform States when use of force was permissible and when it was not.

20. The argument that there should be no discussion of practical measures until the causes of terrorism were eliminated was spurious, as was proved by the very existence of all Governments. Crime occurred in all countries and, in many cases, it had its roots in social causes. No Head of State, parliamentary body or judge urged the elimination of criminal law until the causes of criminal conduct had been eliminated.

20a. Repressive Governments merely punished those they considered criminal. Responsible Governments sought, in addition, to improve the nature of their societies and to ensure that punishment was proportionate and that the causes of crime were eliminated. Were the United Nations to embark on concluding a convention on the lines suggested, would it be behaving like a repressive Government or a responsible one? The answer to that question lay in the immense work that was being done throughout the United Nations to improve the social situation for all the world's people. The record of the United Nations was one of only partial success. As to whether that sufficed to make it a responsible Government, the United States Government did not believe it could give an unqualified response so long as there was an unwillingness in the Organization to take responsible measures to deal with the scourge of terrorism.

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21. He urged all Members to join their efforts to find measures to control international terrorism and to protect all mankind from barbaric acts of violence, which had cost so many lives to so little purpose.
22. Mrs. de PEREYRA (Venezuela) said that the question of international terrorism had been placed on the agenda of the General Assembly at its twenty-seventh session, on the initiative of the Secretary-General, under the heading "Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms", which had subsequently been expanded by the Assembly and given its current wording. The Assembly had established an Ad Hoc Committee on International Terrorism, which had been asked to make recommendations for possible co-operation for the speedy elimination of the problem and it had remained within those terms of reference (resolution 3034 (XXVII)), reaffirming the inalienable right to self-determination and independence of all peoples subject to various forms of foreign domination and the legitimacy of their struggle for national liberation.
23. With regard to the report of the Ad Hoc Committee on International Terrorism (A/9028), of which Venezuela was a member, she said that the first obstacle encountered was the problem of defining what was meant by international terrorism, despite the certainty about its existence. It was a complex social problem with multiple causes and multiple effects. It had economic, political, cultural, ethnical, religious and racial implications. In view of its complex nature, terrorism could not be considered in isolation but must be viewed within the global context in which it arose.
24. Since it was dealing with a legal matter, the Committee must not lose sight of the principles that should govern any legal regulations in the matter. Quoting the Belgian jurist, Professor Jean Dabin, she pointed out that in legal matters the desirable was not always attainable and the attainable was not always desirable. Since terrorism was a complicated phenomenon it could not be regulated as a whole, but only in so far as clear-cut social situations could be identified and clear-cut laws could be applied to them.
25. Positive law aimed at the achievement of the common good, inspired by an ideal of justice, within the limits set by legal security. Any legal regulations designed to provide penalties for acts of violence with international repercussions must take account of those basic concepts. Moreover, any legal rules must be practicable. It would be illogical to lay down legal rules that could not be applied. At the international level that presupposed the possibility of ratification by the greatest possible number of States. A realistic approach must be taken in any attempt to establish rules governing acts of violence with international repercussions.
26. She recalled the statement made in the General Assembly by the President of Venezuela who had mentioned the case of a Cuban commercial aircraft which had been subjected to a terrorist attack that had cost the lives of 73 Latin Americans. The Head of State of Venezuela had said that such incidents strengthened the conviction that it was necessary to punish those who sought to make international crime an instrument of terror and of collective intimidation on a universal scale. The best

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tribute that could be paid to the victims would be to study international agreements aimed at preventing, investigating and punishing such unspeakable crimes against humanity.

27. The defence of human rights and justice in international relations must be the guiding principle in any attempt to combat terrorism and its various manifestations. Consequently those considerations should not preclude the right of peoples to rebel against tyranny, colonialism, neo-colonialism, racism or any other form of oppression. In such cases the right to rebellion, if legitimately exercised, represented the people's effort to restore the legal order that had been violated.

28. In conclusion, she said that the achievement of a lasting peace beneficial to mankind's over-all development was a task for all, and it called for individual and collective, national and international action, since the campaign against violence was part of the very fabric of peace.

29. Mr. BLUM (Israel) said that the current session of the General Assembly was the fifth one whose agenda included the item on international terrorism and that the need to take steps towards ensuring international legal action against that scourge had become even more imperative. He knew, however, that it was unrealistic to expect that the Sixth Committee, or the United Nations in general, would be able to take such steps. As in previous years, certain States had joined in blocking any effective action by the Organization aimed at eradicating that phenomenon of international life. Since those States commanded an arithmetical majority, it was obvious that the discussion of the item would again conclude without any progress whatsoever. Nothing could be more disappointing to the peoples of the world, and nothing could more clearly point up the impotence and ineffectiveness to which the United Nations had been reduced in recent years than the failure of the Organization even to attempt to deal with the threat posed to the very fabric of international society by a small number of persons engaged in such criminal activities, often with the assistance of certain Governments.

30. There was an unquestionable and pressing need for international society to ensure that persons committing abominable acts of terrorism did not escape punishment. No political motivation could justify the perpetration of such crimes, and all countries, irrespective of political systems and ideologies should join in denouncing and combating those acts, which constituted an affront to the basic ideals of humanity. The recent conclusion of a European convention for the suppression of terrorism, under the auspices of the Council of Europe, had clearly demonstrated that such action was possible. That convention listed as acts of terrorism the acts of hijacking, taking of hostages, abduction, the use of bombs, grenades and firearms, any infringement of the rights of diplomats and damage to public buildings and stated that no such act could be considered a breach of law inspired by political motives, thus very properly excluding any defence based on the concept of "political crime". It also provided for the automatic extradition of terrorists to the country in which they had committed their acts or, alternatively, prompt trial in the country in which they took refuge. His delegation wished to congratulate the Council of Europe on the example it had shown in the struggle against international terrorism and considered it a sad reflection of the situation in the United Nations that the Organization had not



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When the initiative in that sphere and was even unable to follow the guidance offered by others. No one today could regard himself as enjoying permanent immunity against international terrorism. Some of its erstwhile supporters had discovered during the past year the profound wisdom expressed in one of the Proverbs of Solomon: "Whoso diggeth a pit shall fall therein; and he that rolleth a stone, it will return upon him" (Proverbs, 26:27).

31. One of the diversionary tactics by which the taking of effective steps against international terrorism had been blocked since 1972 was a professed interest in its underlying causes. No one objected to an examination of the causes of any pathological phenomenon, including terrorism, and such an examination was no doubt useful. But what would be thought of a physician who suspended the treatment of a cancer patient pending the identification of the causes of cancer? Why then should one await an examination of the underlying causes of terrorism, that cancer of international society, before starting to combat it?

32. Another diversionary tactic used since 1972 was the allegation of so-called State terrorism. Israel had argued for many years that whenever a State involved itself directly or indirectly in an internationally wrongful act, that State bore direct responsibility. That had been clearly laid down in 1970 in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. Thus the question clearly lay in the field of State responsibility: if a State supported acts of terror, that State incurred full responsibility under international law for its actions. Therefore the only objective of those bringing up that issue in connexion with the agenda item on international terrorism was to blur the clear principle of State responsibility, or, alternatively, to detract from the responsibility of the individuals involved.

33. The representatives of some countries, such as Czechoslovakia and the German Democratic Republic, in referring in the Sixth Committee to the rescue operation carried out at Entebbe by Israeli troops, had seen fit to censure Israel instead of condemning the criminals responsible for the hijacking and the Government that had co-operated with them. Since he was speaking in a legal committee, he would reply not only with factual but also with legal arguments. First of all, he recalled that when certain countries had attempted to use the Security Council as a vehicle to condemn those who had come to the rescue of innocent human beings held under inhuman conditions for a whole week, rather than their kidnapers and the organizations and the Government that had aided and abetted them, they had soon come to realize that that travesty of justice could not muster the requisite majority in the Council. It had not even been put to the vote. His delegation referred the members of the Sixth Committee to the records of the Security Council, and in particular to those of the 1939th meeting of 9 July 1976, at which the Permanent Representative of Israel had effectively refuted the arguments regarding the alleged illegality of the rescue operation and had proved its lawfulness under international law.

34. Before citing some legal opinions on the Entebbe operation, he wished to

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demonstrate to those who attacked Israel that world public opinion, in the countries in which there was freedom of expression, did not agree with them. The heroic rescue operation carried out by Israel's military forces had aroused universal admiration, relief and even gratitude. For example, on 9 July 1976 Mr. Kahn-Ackermann, Secretary-General of the Council of Europe, had sent the Speaker of the Israeli Parliament a telegram in which he congratulated the authorities and the people of Israel on their determination in upholding the moral values of civilization and stated that their success was an encouragement to all those who were co-operating to safeguard the rule of law and fundamental freedoms. Similar communications had been received from Heads of State and Government and Ministers for Foreign Affairs all over the world.

35. Those sentiments had also been echoed in the press in all those countries in which newspapers were free to express their views without government intervention and censorship. For example, The New York Times of 6 July 1976 had published an editorial entitled "A Legend is Born", stating that the civilized world owed a permanent debt of gratitude to the Government and armed forces of Israel and that by their unprecedented action the Israelis had demonstrated that the criminal terrorist practice of holding the lives of innocent civilians for ransom to achieve political ends could be successfully thwarted. The editorial had further stated that the Israeli rescue operation had been less a matter of violating national sovereignty than responding to an act of international piracy and that it could serve as an inspiration to other countries, proving what could be achieved by swift and determined action. The Observer, one of the most respected newspapers of the United Kingdom, had commented on 11 July 1976 that the Security Council had, up to that time, failed to face the growing threat of international terrorism, which would continue until the abductors were deprived of all hope of gaining political advantage and until they became convinced of the risk to their lives. It had further stated that the "sovereign right" of States to behave as badly as they chose could not be defended in the face of the sovereign right of innocent people to have their lives protected. Even such a cautious and restrained newspaper as The Times of London had stated on 6 July 1976 that the Israelis had not attacked Uganda as such, and it had drawn a parallel between the right to use force in international affairs and the right of an individual to use appropriate means to defend himself.

36. Turning to the legal aspects of the Entebbe operation, he wished to quote some of the better known authorities on international law. Professors McDougal and Reisman of the Yale Law School had written in The New York Times of 16 July 1976 that the initial act of piracy at Athens had been a violation of international law and that therefore the Israeli action had been justified as a humanitarian intervention, under a doctrine whose roots went back to Grotius and which stated that when gross violations of human rights took place in a State whose Government would not or could not prevent them, the organs of the international community, or in exigent circumstances a single State, might enter the territory of the defaulting State for the purpose of terminating the situation. The Israeli action had not threatened the territorial integrity or political independence of Uganda, since it had been necessary and proportionate to the lawful purposes of the rescue. Any

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suggestion that Israel's action had been an invasion of Uganda's sovereignty involved a total misunderstanding of what sovereignty meant. Even in its most comprehensive conception, sovereignty referred only to that competence of States which international law conferred.

37. A distinguished French international lawyer, Professor Zorgbibe of the University of Paris, had written in the newspaper Le Monde that the radical new feature of the Kampala affair had been the collusion of the Government of a State Member of the United Nations with the perpetrators of a kidnapping, so that that Government became a co-perpetrator of the taking of "innocent" civilians as hostages. The complicity of the President of Uganda provided legal grounds for the Israeli reaction, which, conceived for the purpose of freeing Israeli and foreign nationals held in Ugandan territory with the collaboration of Ugandan authorities, met the traditional definition of "humanitarian protection".

38. Professor Miehsler and Dr. Schreuer and other members of the International Law Institute of the University of Salzburg, in a letter to the editor published in Die Presse of Vienna on 9 July 1976, had stated that it could only be argued that there had been a violation of international law if it had been obvious that Uganda had the situation under control and was capable of reaching by other means a solution acceptable to the international community. Since that had not been the case, there remained only two possible interpretations: either Uganda, despite its good intentions, had been incapable of dealing with the terrorists, or it had agreed with them and viewed them with favour. In the first case, the Israeli intervention would have only formally been a violation of Ugandan territory, since it would have been justified in those special circumstances by the interest of the international community. In the second case, which seemed to be the more probable, there was an additional argument to justify the Israeli action: when a State became an accomplice of international criminals, the threatened State was entitled to engage in acts of self-defence. Under international law, self-defence could be resorted to not only in response to armed attack against the territory of a State, but also when such an attack was directed against the nationals of that State. That was recognized in Article 51 of the United Nations Charter, which referred to general international law.

39. In the light of all those considerations, the tirades against Israel were clearly exposed for what they were: hollow political slogans, motivated by blind, paranoiac and obsessive hatred and by the hypocritical cynicism with which certain delegations approached any matter affecting the State and people of Israel.

40. He would not reply to the representative of the medieval régime of Yemen. However, he felt it was typical of the lamentable situation prevailing in the United Nations that that régime was a member of the Ad Hoc Committee on International Terrorism. On the other hand, he did wish to make some observations on the comments of Czechoslovakia and the German Democratic Republic concerning the Entebbe action. The representative of Czechoslovakia seemed to have no independent sources of information on that matter. He himself feared that truth had been banished from that country for some time, a fact which was particularly tragic in the homeland of

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Masaryk, whose motto had been "Truth triumphs". The representative of the German Democratic Republic had referred to the "State terrorism" of Israel, speaking on behalf of a régime which was notorious for oppressing its nationals and had built an electrified fence and laid mines along its border to keep the population trapped within a country which had become one huge prison. He recalled his own childhood experience as an inmate of a Nazi concentration camp and said that, in the light of all that the German Nazis had done to 6 million of his brethren, he was surprised that the representative of a German State should have the audacity to say that Israel was engaging in State terrorism.

41. Mr. KATEKA (United Republic of Tanzania) said that the subject under consideration, which had given rise to heated discussion when first introduced at the twenty-seventh session of the General Assembly, had been buried, first by not giving it priority in the agenda, secondly by taking a piecemeal approach to the problem, singling out specific aspects of terrorism such as the taking of hostages, and thirdly, by the lack of interest or timidity reflected in the limited number of speakers on the item.

42. The mandate given to the Ad Hoc Committee in resolution 3034 (XXVII) to formulate recommendations for possible co-operation for the speedy elimination of the problem had not been fulfilled, due to lack of political will on the part of Member States rather than lack of time.

43. He recalled that the Ad Hoc Committee had worked through three sub-committees of the whole, dealing respectively with the definition of international terrorism, its underlying causes and means to prevent it. With regard to the definition, he noted the correct approach taken by the non-aligned group in their draft proposal, which stated that the heart of the problem of international terrorism was State terrorism, which manifested itself through colonialism, racism, apartheid and alien domination. The ending of State terrorism would put an end to most acts of individual or group terrorism, which were usually a desperate way of expressing disapproval of State-sponsored terrorism. However, it was also necessary to take into account deliberate acts by persons who were not victims of misery, frustration, grievance or despair, which were not covered by the wording of agenda item 113.

44. It was necessary to avoid emotionalism, acknowledge that there were many My Lais, Sowetos and refugee camps, and condemn terrorism without overlooking its multifaceted nature or resorting to propaganda.

45. The non-aligned countries had also excluded from the definition the legitimate struggle for self-determination and independence. His delegation was disappointed that some of the drafts annexed to the report completely ignored that fundamental right. Many of the countries which had produced those drafts had combated the freedom fighters and had only recently brought themselves to refer to them as "guerrilla fighters".

46. A further aspect of the definition proposed by the non-aligned countries was

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that it covered individual terrorism for private gain, whereas the attitude of other countries seemed to indicate that they were trying to equate freedom fighters with terrorists.

47. Another short-coming of the draft definition was that it did not include economic sabotage of nations.

48. With regard to the study of the underlying causes, he was disappointed by the lack of concrete recommendations. Some delegations had argued that that study would take a long time. Without eradication of the underlying causes, however, no amount of international legislation could put an end to terrorism. The difficulty lay not so much in the study of the causes as in the reluctance of some States to admit them. It was also necessary to bear in mind State terrorism directed against individuals, States or other entities.

49. With regard to the question of measures to prevent international terrorism, it was interesting to note that some States had been eager to establish sanctions but had shown reluctance regarding the definition and underlying causes, as though sanctions would provide a panacea for terrorism. Some of the drafts submitted admitted no exceptions, thus showing that some countries wished to perpetuate colonialism and other forms of discrimination. However, as long as injustice and tyranny existed, there would be countervailing violence aimed at ending reactionary violence. In other words, the main problem of international terrorism lay with States themselves. If oppression in the form of colonialism, apartheid and foreign occupation was ended, terrorism would decrease or disappear. It would then be purely a legal question of concluding an instrument calling for the prosecution or extradition of those who practised terrorism for its own sake. Until that reality was faced, it would be a waste of time or even sheer hypocrisy to go on talking of means to end terrorism.

50. Mr. HAMID (Palestine Liberation Organization) said he acknowledged the wisdom of the proverb of Solomon quoted by the Zionist representative but wished to point out that the Zionist leaders of Israel had not understood it. The modern interpretation was that occupation would be combated by resistance. The Zionists had not learned the lesson and were still trying to hide the truth about their own acts. He quoted from the report of Dr. Israel Shahak which stated that the truth about the Arab settlements existing in the area currently covered by the State of Israel prior to 1948 was one of the best kept secrets of Israeli life. Nowhere was there any mention of the number or location of such settlements, the aim being to substantiate the myth of an "empty country". That falsification of the truth was especially serious because it was generally accepted outside the Middle East and because the villages had for the most part been completely destroyed, so that no stone had been left standing and visitors could be told "it was all desert". That was terrorism.

51. Zionism was a good example of international terrorism. The Zionists had terrorized Jewish citizens of other countries in order to attain their inhuman goals and had collaborated closely with the Nazis during the Second World War.

/...

(Mr. Hamid)

The Zionists and the Nazis had had one thing in common: the latter had been fanatical enemies of the Jews and other European peoples; the Zionists at the same time had been resorting to any means to compel the Jews of the world to immigrate to the Zionist entity in Palestine. Nazism had been defeated in Europe but still existed in Palestine.

52. The Palestinian people were struggling against the neo-Nazis in Israel while the Zionists were resorting to every type of Nazi terrorist method. For example, they carried out arbitrary mass arrests of Palestinians in their occupied homeland. They also resorted to collective punishment and suppressed the culture and denied the existence of the Palestinian people. Faced with those Nazi-Zionist policies, the Palestinian people, represented by its legislative body, the PLO Palestine National Assembly, had decided that the ultimate goal of the Palestinian people was the establishment of a secular democratic State in which people could live on a footing of equality irrespective of race and creed.

53. The Zionist representative had sought to justify the policies of his Government by referring to international law, but the Zionists had not complied with that law in the occupied territories, nor had they accepted the internationally recognized right of the Palestinian people to return to their homeland.

54. In conclusion, he too wished to introduce a personal note. He had grown up in a Palestinian refugee camp in southern Lebanon and had lost relatives and friends in the Israeli bombardments of civilian targets in the refugee camps. The school and the hospital in the camp had been bombarded and hundreds of people had been killed or wounded. No trace remained of the Palestinian village in which he had been born, where more than 1,000 people had lived in 1948. After many of the inhabitants had perished in an atrocious massacre, all the survivors had fled.

The meeting rose at 1.10 p.m.