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Agenda item 139 (a) and (b)

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: (a) REPORT OF THE SECRETARY-GENERAL; (b) CONVENING, UNDER THE AUSPICES OF THE UNITED NATIONS, OF AN INTERNATIONAL CONFERENCE TO DEFINE TERRORISM AND TO DIFFERENTIATE IT FROM THE STRUGGLE OF PEOPLES FOR NATIONAL LIBERATION

Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution

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: (a) report of the Secretary-General; (b) convening, under the auspices of the United Nations, of an international conference to define terrorism and to differentiate it from the struggle of peoples for national liberation

The General Assembly,

Recalling the concern about, and condemnation of, terrorism expressed in its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976, 32/147 of

16 December 1977, 34/145 of 17 December 1979, 36/109 of 10 December 1981, 38/130 of 19 December 1983, 40/61 of 9 December 1985 and 42/159 of 7 December 1987,

Deeply deploring the deaths and physical and mental harm caused by acts of terrorism,

Convinced of the importance of expanding and improving international co-operation among States, which will contribute to the elimination of acts of international terrorism and their underlying causes and to the prevention and elimination of this criminal scourge,

Recalling also the existing international conventions relating to various aspects of the problem of international terrorism, inter alia, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, 1/ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, 2/ the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971, 3/ the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973, 4/ the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979, 5/ the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against Safety of Civil Aviation, done at Montreal on 24 February 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988, and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988,

Convinced also of the importance of the observance by States of their obligations under the relevant international conventions to ensure that appropriate law enforcement measures are taken in connection with the offences addressed in those conventions,

Urging all States to take effective measures in accordance with established principles of international law, in order that all acts, methods and practices of international terrorism may be brought to an end,

1/ United Nations, Treaty Series, vol. 704, No. 10106.

2/ Ibid., vol. 860, No. 12325.

3/ Ibid., vol. 974, No. 14118.

4/ Ibid., vol. 1035, No. 15410.

5/ Resolution 34/146, annex.

Noting the efforts and important achievements of the International Civil Aviation Organization and the International Maritime Organization in promoting the security of international air and sea transport against acts of terrorism,

Noting also Security Council resolution 635 (1989) of 14 June 1989 concerning the marking of plastic and sheet explosives for the purposes of detection,

Noting further the resolution of the Council of the International Civil Aviation Organization of 16 February 1989 and resolution ... of ... 1989 of the Assembly of the International Civil Aviation Organization concerning expediting research into developing ways to detect plastic or sheet explosives and the devising of an international régime for the marking of such explosives for the purposes of detection, and the decision of the Council of the International Civil Aviation Organization of 29 June 1989 to include the preparation of a new legal instrument regarding the marking of explosives for detectability in the general work programme of the Legal Committee of the International Civil Aviation Organization, with the highest and overriding priority,

Noting finally Security Council resolution 638 (1989) of 31 July 1989 on the taking of hostages,

Mindful of the necessity of maintaining and protecting the basic rights of the individual, including those relating to procedural safeguards and guarantees, in accordance with the relevant international human rights instruments and generally accepted international standards,

Taking note of the report of the Secretary-General, 6/

1. Once again unequivocally condemns, as criminal and unjustifiable under any circumstances, all acts, methods and practices of terrorism, wherever and by whomsoever committed;

2. Deplores the pernicious impact of acts of international terrorism on relations between States;

3. Calls upon all States to fulfil their obligations under international law to refrain from instigating or supporting terrorist acts in other States, or acquiescing in or encouraging activities within their territory directed towards the commission of such acts;

4. Urges all States to fulfil their obligations under international law and to take effective and resolute measures for the speedy and final elimination of international terrorism, and to that end in particular:

(a) To prevent the preparation and organization in their territory of terrorist acts directed against other States and their citizens;

(b) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts;

(c) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis;

(d) To co-operate with other States in exchanging relevant information concerning the prevention and combating of terrorism;

(e) To take promptly all steps necessary, including harmonization of domestic legislation, to implement the international conventions on this subject to which they are parties;

(f) To act with firmness in responding to terrorist demands;

5. Appeals to all States in a position to exercise influence over those holding hostages to use that influence to help to secure their immediate and safe release;

6. Appeals also to all States that have not yet done so to consider becoming party to the international conventions relating to various aspects of international terrorism referred to in the preamble to the present resolution;

7. Welcomes the efforts undertaken by the International Civil Aviation Organization aimed at promoting universal acceptance of, and strict compliance with, international air-security conventions, and welcomes its recent adoption of the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, as mentioned in the preamble to the present resolution;

8. Welcomes also the recent adoption by the International Maritime Organization of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, as mentioned in the preamble to the present resolution;

9. Urges also the International Civil Aviation Organization to intensify its work on devising an international régime for the marking of plastic or sheet explosives for the purpose of detection;

10. Requests the other relevant specialized agencies and intergovernmental organizations, in particular the Universal Postal Union, the World Tourism Organization and the International Atomic Energy Agency, within their respective spheres of competence, to consider what further measures can usefully be taken to combat and eliminate terrorism;

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11. ~~Requests~~ also the Secretary-General to follow up, as appropriate, the implementation of the present resolution and to submit a report in this respect to the General Assembly at its forty-sixth session;

12. ~~Decides~~ to include the item in the provisional agenda of its forty-sixth session.

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