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SUMMARY RECORD OF THE 48th MEETING

Chairman: Mr. TUERK (Austria)

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COMPLETION OF THE COMMITTEE'S WORK

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The meeting was called to order at 3.35 p.m.

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(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 (continued) (A/C.6/44/L.2, L.3, L.4 and L.22)

Draft resolution A/C.6/44/L.22

1. The CHAIRMAN, introducing draft resolution A/C.6/44/L.22, said that its purpose was to voice strong condemnation of terrorist acts and express the determination of the international community to prevent and eliminate them. It had not been easy to work out the text, which was the result of extensive informal consultations and the collective efforts of members of the Committee. Since it was important that the international community should speak with one voice on such an important matter as international terrorism, he commended draft resolution A/C.6/44/L.22 for adoption without a vote.

2. If he heard no objection, he would take it that the sponsors of draft resolutions A/C.6/44/L.2, L.3 and L.4 did not insist on action being taken on those texts.

3. It was so decided.

4. Mr. KUFUOR (Ghana) said that his delegation had serious reservations about draft resolution A/C.6/44/L.22, which it had only just seen. They concerned the use of the words "and not justifiable" in paragraph 1 and "legitimately" in paragraph 17. Those words were not acceptable.

5. Although his delegation reserved its position on those paragraphs, especially paragraph 17, it would not oppose a consensus on the draft resolution

6. Draft resolution A/C.6/44/L.22 was adopted without a vote.

7. Mr. KOTEVSKI (Yugoslavia), speaking on behalf of the members of the Movement of Non-Aligned Countries, said that they had proceeded all along from the conviction that joint action by the whole international community was needed on international terrorism. Their draft resolution A/C.6/44/L.4 had therefore been designed to facilitate consensus on the subject. All countries involved in the consultations on the alternative draft resolution just adopted had been unanimous

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(Mr. Kotevski, Yugoslavia)

that acts of international terrorism were criminal and could not be justified. But they were similarly unanimous in the view that nothing could in any way prejudice the right of peoples who were forcibly deprived of their right to self-determination, freedom and independence, by colonial and racist régimes or other forms of alien domination, to struggle for that right and to seek and receive support. Their struggle could not and must not therefore be equated with terrorism. It was the view of the non-aligned countries that the reference in paragraph 17 of the text to "alien domination" included foreign occupation. He was convinced that the consensus reached on the draft resolution would promote international co-operation in combating international terrorism and eliminating its underlying causes, as well as efforts to formulate a generally acceptable definition of it.

8. Mrs. GOLAY (Israel) said that her delegation had joined the consensus because draft resolution A/C.6/44/L.22 condemned all acts, methods and practices of terrorism as not justifiable for any reason whatsoever. However, it also regarded paragraph 17 as unnecessary because there was no justification for any linkage or relationship between terrorist acts and the right to self-determination. It also had reservations about convening an international conference to define terrorism, since what constituted terrorism was very clear to everyone and there was no point in trying to blur the issue. The idea of legitimizing terrorist acts under the cover of a struggle for national liberation was misguided, and an international conference to define terrorism would not produce any positive results.

9. Mr. ROSENSTOCK (United States of America) said that his delegation was happy to join in the consensus on the draft resolution, whose paragraph 1 had made the condemnation of terrorism clearer by stating that terrorist acts were not justifiable. His delegation had been unable to join in a consensus on the draft resolution submitted on the same subject in 1987, precisely because it could have been interpreted as meaning that some terrorist acts were justifiable. There was general agreement that terrorism was never justifiable, and if the justifiable use of force was to be dealt with, it must be in terms that ruled out terrorism. In that regard, paragraph 17 was an improvement on the comparable paragraph in General Assembly resolution 42/159, because it qualified the right of peoples under colonial and racist régimes or other forms of alien domination to struggle for self-determination, freedom and independence. The word "legitimately" indicated that only non-terrorist means of struggle could be used, and that the pursuit of self-determination could never justify recourse to terrorism.

10. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that his delegation welcomed the consensus reached on the draft resolution, and especially its unequivocal condemnation of terrorist acts as criminal and not justifiable. The consensus was due largely to the flexibility and reasonableness shown by many delegations, to the diplomatic skills of the Chairman and to the general improvement in the international situation. The result would be to stimulate action against terrorism and enhance the reputation of the United Nations for dealing with complex problems affecting the international community.

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COMPLETION OF THE COMMITTEE'S WORK

11. The CHAIRMAN, summing up the results of the Committee's work at the current session, singled out as its most significant achievements its adoption of the draft Convention against mercenaries, the draft resolution relating to international terrorism and the draft decision on the peaceful settlement of disputes. It was also worth noting that a record number of draft resolutions had been adopted by general agreement, which was due largely to the more positive international climate and the growing readiness of representatives of Member States to enter into informal consultations to bridge their differences of opinion. That was one of the most positive features of multilateral diplomacy as practised every day in the United Nations. Looking to the future, he believed that the increasing importance of international law in international relations would have a beneficial effect on the work of the Committee in years to come and greatly enhance its role within the United Nations.

12. After an exchange of courtesies in which Mr. WISSEH (Liberia), Mr. GOERNER (German Democratic Republic), Mr. DROUSHIOTIS (Cyprus), Mr. MATAIRA (New Zealand) and Mr. ALVAREZ (Uruguay) spoke on behalf of their respective groups of States, the CHAIRMAN declared that the Committee had completed its work for the forty-fourth session.

The meeting rose at 4.30 p.m.