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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 Sixth Committee

Rapporteur: Mr. Jargalsaikhany ENKHSAIKAN (Mongolia)

1. The item entitled "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" was included in the provisional agenda of the thirty-fourth session of the General Assembly pursuant to paragraph 12 of Assembly resolution 32/147 of 16 December 1977.
2. At its 4th plenary meeting, on 21 September 1979, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee had before it the report of the Ad Hoc Committee on International Terrorism. 1/ It also had before it letters dated 27 July, 7, 20 and 22 August and 19 September 1979 from the Permanent Representative and the Chargé d'Affaires a.i. of a Permanent Mission to the United Nations (A/34/387, 403, 429, 435 and 498) addressed to the Secretary-General.

1/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 37 (A/34/37).

4. The Sixth Committee considered the item at its 4th, 6th to 10th, 57th and 59th meetings, held between 26 September and 4 October 1979 and on 3 and 4 December 1979. The summary records of those meetings (A/C.6/34/SR.4, 6-10, 57 and 59) contain the views of representatives who spoke during the consideration of the item.

5. At the 57th meeting, on 3 December, the representative of the United Republic of Tanzania introduced, on behalf of Afghanistan, Algeria, Benin, Guinea, India, the Libyan Arab Jamahiriya, Morocco, Mozambique, the Niger, Tunisia, Uganda, the United Republic of Tanzania, Venezuela, Yugoslavia, Zaire and Zambia, a draft resolution (A/C.6/34/L.20) which read as follows:

"The General Assembly,

"Recalling its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976 and 32/147 of 16 December 1977,

"Recalling also the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 2/ the Declaration on the Strengthening of International Security, 3/ the Definition of Aggression, 4/ as well as the Protocols Additional to the Geneva Conventions of 1949, 5/

"Deeply concerned over continuing acts of international terrorism which take a toll of innocent human lives,

"Convinced of the importance of international co-operation for dealing with acts of international terrorism,

"Reaffirming the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations,

"Having examined the report of the Ad Hoc Committee on International Terrorism, 6/

"1. Welcomes the results achieved by the Ad Hoc Committee during its last session;

2/ Resolution 2625 (XXV), annex.

3/ Resolution 2734 (XXV).

4/ Resolution 3314 (XXIX).

5/ A/32/144, annexes I and II.

6/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 37 (A/34/37).

"2. Adopts the recommendations submitted to the General Assembly relating to practical measures of co-operation for the speedy elimination of the problem of international terrorism;

"3. Unequivocally condemns all acts of international terrorism which endanger or take human lives or jeopardize fundamental freedoms;

"4. Condemns the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;

"5. Takes note of the study of the underlying causes of international terrorism as contained in the report of the Ad Hoc Committee on International Terrorism;

"6. Urges all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism;

"7. Calls upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts;

"8. Appeals to States which have not yet done so to become parties to the existing international conventions relating to various aspects of the problem of international terrorism, specifically, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, 7/ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, 8/ the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971, 9/ and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted at New York on 14 December 1973; 10/

"9. Invites all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, such as the harmonization of domestic legislation with international conventions, the implementation of assumed international obligations, and the prevention of the preparation and organization in one's own territory of acts directed against other States;

7/ United Nations, Treaty Series, vol. 704, No. 10106, p. 219.

8/ United States Treaties and Other International Agreements, vol. 22, part 2 (1971), p. 1644.

9/ Ibid., vol. 24, part 1 (1973), p. 568.

10/ Resolution 3166 (XXVIII), annex.

"10. Recommends to appropriate specialized agencies and regional organizations that they consider measures to prevent and combat international terrorism within their respective spheres of responsibility and regions;

"11. Urges all States to co-operate with one another more closely, especially through the exchange of relevant information concerning prevention and combating of international terrorism, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular as to the extradition or prosecution of international terrorists;

"12. Invites Governments to submit their observations and concrete proposals, in particular to the need for an additional international convention or conventions on international terrorism;

"13. Recognizes that, in order to contribute to the elimination of the causes and problem of international terrorism, both the General Assembly and the Security Council should pay special attention to all situations, including, inter alia, colonialism, racism and situations involving alien occupation, that may give rise to international terrorism and may endanger international peace and security, with a view to the application, where feasible and necessary, of the relevant provisions of the Charter of the United Nations, including Chapter VII thereof;

"14. Requests the Secretary-General:

(a) To prepare a compilation on the basis of material provided by Member States of relevant provisions of national legislation dealing with the combating of international terrorism;

(b) To follow up the implementation of the recommendations contained in the report of the Ad Hoc Committee on International Terrorism and to submit the report to the General Assembly at its thirty-sixth session;

"15. Decides to include the item in the provisional agenda of its thirty-sixth session."

6. At the 59th meeting, on 4 December, the draft resolution was orally revised as follows:

(a) In paragraph 8, the words "to become parties" were replaced by the words "to consider becoming parties";

(b) In paragraph 9, the words "in one's own territory" were replaced by "in their territory";

(c) In paragraph 14 (b), the words "as appropriate" were inserted after "To follow up".

7. At the same meeting, the Sixth Committee adopted the draft resolution, as orally revised, by 96 votes to 1, with 20 abstentions (see para. 9).

8. Statements in explanation of vote were made, before the vote, by the delegation of the United States of America and, after the vote, by the delegations of Canada, Ireland (speaking on behalf of the States members of the European Economic Community), Israel, Cuba, Mexico, Sierra Leone, Sweden, Japan, Jordan, Austria, Turkey and Mali. The delegation of the United Arab Emirates also made a statement in relation to the vote.

RECOMMENDATION OF THE SIXTH COMMITTEE

9. The Sixth Committee recommends to the General Assembly the adoption of the following 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: report of the Ad Hoc Committee on International Terrorism

The General Assembly,

Recalling its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976 and 32/147 of 16 December 1977,

Recalling also the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 11/ the Declaration on the Strengthening of International Security, 12/ the Definition of Aggression, 13/ as well as the Protocols Additional to the Geneva Conventions of 1949, 14/

Deeply concerned over continuing acts of international terrorism which take a toll of innocent human lives,

Convinced of the importance of international co-operation for dealing with acts of international terrorism,

11/ Resolution 2625 (XXV), annex.

12/ Resolution 2734 (XXV).

13/ Resolution 3314 (XXIX).

14/ A/32/144, annexes I and II.

Reaffirming the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations,

Having examined the report of the Ad Hoc Committee on International Terrorism, 15/

1. Welcomes the results achieved by the Ad Hoc Committee during its last session;
2. Adopts the recommendations submitted to the General Assembly relating to practical measures of co-operation for the speedy elimination of the problem of international terrorism;
3. Unequivocally condemns all acts of international terrorism which endanger or take human lives or jeopardize fundamental freedoms;
4. Condemns the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;
5. Takes note of the study of the underlying causes of international terrorism as contained in the report of the Ad Hoc Committee on International Terrorism;
6. Urges all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism;
7. Calls upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts;
8. Appeals to States which have not yet done so to consider becoming parties to the existing international conventions relating to various aspects of the problem of international terrorism, specifically, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, 16/ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, 17/ the Convention for the Suppression of Unlawful

15/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 37 (A/34/37).

16/ United Nations, Treaty Series, vol. 704, No. 10106, p. 219.

17/ United States and Other International Agreements, vol. 22, part 2 (1971), p. 1644.

Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971, 18/ and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted at New York on 14 December 1973; 19/

9. Invites all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, such as the harmonization of domestic legislation with international conventions, the implementation of assumed international obligations and the prevention of the preparation and organization in their territory of acts directed against other States;

10. Recommends to appropriate specialized agencies and regional organizations that they consider measures to prevent and combat international terrorism within their respective spheres of responsibility and regions;

11. Urges all States to co-operate with one another more closely, especially through the exchange of relevant information concerning the prevention and combating of international terrorism, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular as to the extradition or prosecution of international terrorists;

12. Invites Governments to submit their observations and concrete proposals, in particular to the need for an additional international convention or conventions on international terrorism;

13. Recognizes that, in order to contribute to the elimination of the causes and problem of international terrorism, both the General Assembly and the Security Council should pay special attention to all situations, including, inter alia, colonialism, racism and situations involving alien occupation, that may give rise to international terrorism and may endanger international peace and security, with a view to the application, where feasible and necessary, of the relevant provisions of the Charter of the United Nations, including Chapter VII thereof;

14. Requests the Secretary-General:

(a) To prepare a compilation on the basis of material provided by Member States of relevant provisions of national legislation dealing with the combating of international terrorism;

(b) To follow up, as appropriate, the implementation of the recommendations contained in the report of the Ad Hoc Committee on International Terrorism and to submit the report to the General Assembly at its thirty-sixth session;

15. Decides to include the item in the provisional agenda of its thirty-sixth session.

18/ Ibid., vol. 24, part 1 (1973), p. 568.

19/ Resolution 3166 (XXVIII), annex.