

**General Assembly**

Fifty-sixth session

**Official Records**Distr.: General  
28 November 2001

Original: English

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**Sixth Committee****Summary record of the 27th meeting**

Held at Headquarters, New York, on Monday, 19 November 2001, at 10 a.m.

*Chairman:* Mr. Lelong ..... (Haiti)**Contents**

Agenda item 174: International convention against the reproductive cloning of human beings

Agenda item 167: Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel (*continued*)Agenda item 162: Report of the International Law Commission on the work of its fifty-third session (*continued*)Agenda item 161: Report of the United Nations Commission on International Trade Law on the work of its thirty-fourth session (*continued*)Agenda item 164: Establishment of the International Criminal Court (*continued*)Agenda item 176: Observer status for Partners in Population and Development in the General Assembly (*continued*)Agenda item 168: Observer status of the International Institute for Democracy and Electoral Assistance in the General Assembly (*continued*)

Agenda item 21: Cooperation between the United Nations and regional and other organizations

(f) Cooperation between the United Nations and the Inter-Parliamentary Union

Agenda item 166: Measures to eliminate international terrorism

Agenda item 159: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (*continued*)

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*The meeting was called to order at 10.15 a.m.*

**Agenda item 174: International convention against the reproductive cloning of human beings** (A/56/192 and A/C.6/56/L.19)

1. The Chairman reminded the Committee that the topic had been included as a supplementary item in the agenda of the fifty-sixth session of the General Assembly in response to the letter dated 7 August 2001 from the Chargés d'affaires a.i. of the Permanent Missions of France and Germany to the United Nations addressed to the Secretary-General (A/56/192).

2. **Mr. Florent** (France), introducing draft resolution A/C.6/56/L.19 on behalf of France and Germany, said that Algeria, Azerbaijan, Bangladesh, Liechtenstein, Luxembourg, Morocco, Poland, the Republic of Korea and San Marino had joined the list of sponsors.

3. The draft resolution was procedural in nature and aimed at setting in motion a process that would lead to the negotiation of a legally binding, universally applicable instrument banning the reproductive cloning of human beings, a practice which the sponsors considered to be contrary to human dignity, in the language of article 11 of the Universal Declaration on the Human Genome and Human Rights, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1997 and endorsed by the General Assembly in its resolution 53/152. The scope of the draft resolution was limited solely to the cloning of human beings for reproductive purposes and did not aim at restricting other uses or other subjects of cloning.

4. The procedure envisaged would consist of two stages. First, an Ad Hoc Committee open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency would meet in two sessions in 2002 to consider the elaboration of a mandate for the negotiation of such an international convention. The participation of UNESCO and the World Health Organization (WHO) would be invaluable. In order to foster a scientific exchange of views, it would be helpful if the States participating in the sessions had experts on genetics and bioethics on their teams, representing the major schools of thought on the issue. In view of the urgency of the issue, it would be desirable if the General Assembly could consider at its

fifty-seventh session the mandate for the negotiation of the convention, so that the second stage, the elaboration of the convention, could proceed in 2003.

5. **Mr. Much** (Germany), speaking also on behalf of France, said that the two delegations were pleased to note that over 40 States from all parts of the world had aligned themselves with the initiative and hoped that it would become a common cause of all countries. The draft resolution aimed to be inclusive, i.e., to encourage the participation not only of all States but also of experts on genetics and bioethics and agencies such as UNESCO that had done substantial work on the issue. It aimed to be focused, i.e., to narrow the issue to the cloning of human beings for reproductive purposes in order to win a speedy consensus that would deter irresponsible researchers. Lastly, it aimed at a normative solution. Reproductive cloning of human beings posed a serious threat to human dignity and hence necessitated a legally binding instrument to prevent competition among research institutes around the world.

6. **Mr. Becker** (Israel) said that, as a country that had already adopted legislation on human cloning and developed a wealth of ethical, religious and jurisprudential research on the topic, Israel was following the initiative with great interest. Israeli legislation adopted in 1998 prohibited genetic intervention on human beings for the purposes of human cloning for an initial period of five years, during which all aspects of the issue were to be examined by an advisory committee. That approach reflected an understanding that the process of examining the far-reaching implications of scientific developments in genetic engineering had only begun. His delegation supported the view that a detailed examination of the subject should precede any discussion of the appropriate form and content of international regulation and should be as inclusive as possible, involving representatives from the areas of medicine, bioethics, philosophy and religion.

7. **Mr. Akamatsu** (Japan) said that, although progress in biotechnology had raised the level of medical care, it had also brought with it the technical capability for reproductive cloning of human beings, which had serious implications for the preservation of human life and dignity and the maintenance of the social order. Japan had therefore enacted domestic legislation regulating cloning technologies in relation

to human beings and strictly prohibiting reproductive cloning of human beings in Japan.

8. It was imperative to strengthen international cooperation in that area and high time that the international community should turn its attention to the creation of a regime, which might take the form of an international convention, to prohibit reproductive cloning of human beings. Narrowing the focus to measures directly related to the prohibition of reproductive cloning of human beings would enlist broader support and make it easier to reach a consensus. His delegation supported the establishment of the Ad Hoc Committee and urged it to take into account the considerable expertise accumulated by UNESCO on the subject.

9. **Mr. Tarabrin** (Russian Federation) said that the cloning of human beings raised a whole range of social, scientific, ethical and religious questions and the international community could not but be involved. His delegation, which had become a sponsor of the draft resolution, had supported the request contained in document A/56/192 for the inclusion of the topic as a supplementary item in the agenda and welcomed the idea of setting up an Ad Hoc Committee that could call on experts from around the world to consider the purposes and structure of a possible international legal instrument. According to his delegation's understanding, the resolution was primarily of a procedural nature. It did not establish a rigid framework for future work. His delegation awaited with interest the outcome of the Ad Hoc Committee's first series of meetings, after which it would be possible to lay down more specific guidelines.

10. A draft convention dealing with a subject as complex as cloning should have a sound scientific and legal basis, as well as taking account of social and medical factors. The potential dangers of restricting the development of scientific knowledge should also be borne in mind, however. While outlawing the use of cloning for reproductive purposes, the draft convention should consider the possibilities of therapeutic cloning and its use for medical purposes. It could also harmonize national approaches to the issue, removing obstacles to scientific research, the patenting of results and the commercialization of products, including those for transplantation science and gene therapy. Moreover, it would be useful to include provisions on cooperation in the development of scientific research on the creation of genetically modified animals and the

cloning of human tissue and organs, as well as on providing information for the public. The draft convention should establish State control over research activities in State and private laboratories in States parties to the convention, and unconditionally prohibit the commercial cloning of human beings for reproductive purposes that could not be justified for medical reasons.

11. **Ms. Vassallo** (Malta) said that her delegation welcomed the initiative of France and Germany and fully supported the establishment of an Ad Hoc Committee as proposed in the draft resolution for the purpose of considering the elaboration of an international convention against the reproductive cloning of human beings. Drawing up a legally binding instrument would be a step in the right direction and would send the correct signals to the scientific community and the world at large. Progress in science was outstripping domestic legislation. The great expansion in knowledge of the human genome could lead to important discoveries in the treatment of disease but also to serious abuses. Member States must recognize the urgency of addressing issues that threatened fundamental human rights and the dignity and worth of the human person, as outlined in the Universal Declaration on Human Rights. In keeping with Commission on Human Rights resolution 2001/17, her delegation deemed it of paramount importance to ensure that scientific progress benefited individuals and developed in a manner respectful of fundamental human rights.

12. **Ms. Hanson** (Canada) said that her delegation was pleased to be a sponsor of draft resolution A/C.6/56/L.19. Recent scientific advances in genetics and biotechnology spanned global boundaries and called for an international consensus on the legal, ethical, health and safety questions they raised. While there were divergent opinions about other assisted human reproduction issues, a broad consensus seemed to be emerging that the reproductive cloning of human beings should be banned. The announcement by some laboratories and research institutes that they might soon be attempting it underscored the need for urgent action. Canada was in the process of drafting national legislation that would prohibit human reproductive cloning, among other practices, for the sake of protecting and promoting human health, safety, dignity and rights. While her delegation supported the proposal to elaborate a convention, it felt that the issue needed

to be explored carefully and therefore strongly supported the establishment of a body to make recommendations to the General Assembly at its fifty-seventh session.

13. **Mr. Ogonowski** (Poland) said that the international community must remain vigilant to ensure that the enormous scientific advances of recent years yielded the promised benefits and to prevent their potentially negative consequences by setting norms, as it had succeeded in doing to some extent in the weapons non-proliferation and environmental areas. Only norms with a global reach, norms embodied in universally recognized agreements, could meet challenges of a global nature. Four years after the adoption by UNESCO of the Universal Declaration on the Human Genome and Human Rights, the time was ripe to move forward on elaborating a legally binding document prohibiting human cloning, an area on which a general consensus seemed to exist.

14. His delegation agreed that the work should begin with the elaboration of the mandate for negotiations. Since the issue was complex, and few people not directly involved in the research could grasp the full potential and risks entailed, the idea of beginning with input from experts on genetics and bioethics was sound and would enable the negotiators to see the problem in a wider perspective.

15. **Mr. Fruchtbaum** (Grenada) said that his delegation would have no difficulty in supporting the draft resolution if its objective were to establish an Ad Hoc Committee for the purpose of considering the elaboration of an international convention on or concerning rather than against, the reproductive cloning of human beings; he proposed that the draft resolution should be amended accordingly. If the Ad Hoc Committee stood in opposition from the outset, it would be unable to give a fair hearing to the practical argument that attempting to prohibit research would only serve to drive it underground, making it difficult to regulate. The Ad Hoc Committee should rather serve as an open international forum for the discussion of that and other issues, such as whether the elaboration of a convention should await further development of national codes reflecting the cultural and religious situation of each country.

16. **Mr. Namavičius** (Lithuania) said that the French and German initiative was timely and welcome in view of some irresponsible statements made recently by

researchers about human cloning. In addition to the UNESCO Universal Declaration on the Human Genome and Human Rights, the Council of Europe also had a Convention on Human Rights and Biomedicine and an Additional Protocol to that Convention on the Prohibition of Cloning Human Beings; those instruments could serve as a useful legal basis for the elaboration of an international convention. His delegation would have supported even stronger wording but was happy, in a spirit of compromise, to support the draft resolution as it stood. The cloning of most human cells and tissue was generally recognized as ethically acceptable and medically valuable; there was greater debate about the cloning of undifferentiated cells of embryonic origin. But reproductive cloning of human beings raised profound issues relating to the dignity and identity of human beings and their fundamental human rights.

17. **Mr. Elmessalati** (Libyan Arab Jamahiriya) said he welcomed the draft resolution. From the point of view of the international community, there was no doubt that it would be valuable to have a legal regime to govern the reproductive cloning of human beings. Such a regime could preserve human dignity and allow certain beneficial applications of cloning techniques while prohibiting those which were harmful to humanity. As with any scientific or technical innovation, detailed study of those applications was needed in order to identify and eliminate their harmful aspects.

18. **Mr. Hernández** (Venezuela) said he too welcomed the draft resolution, which sought to build upon the juridical precedents set in article 11 of the Universal Declaration on the Human Genome and Human Rights and in General Assembly resolution 53/152. He supported the proposal to establish an Ad Hoc Committee on the subject. A multidisciplinary committee of experts was the best means of forming the value judgements which would be needed as guidance in the task of framing an international convention.

19. **Ms. Katungye** (Uganda) said her delegation wished to become a sponsor of draft resolution A/C.6/56/L.19. She was in favour of a legally binding instrument which would serve to counter the threats to human dignity implicit in human cloning.

20. **Ms. Álvarez Núñez** (Cuba) said her delegation wished to join the sponsors of draft resolution

A/C.6/56/L.19. The initiative was an excellent one, and she hoped work on it would begin soon. An international convention was needed to protect the human rights of the individual, which would be threatened by the practice of reproductive cloning. Although the rapid progress of science had opened up new prospects of improving the lot of humanity, the international community must take action to deal with any ensuing threats to the integrity and dignity of the human person. Developing an appropriate legal framework was the proper way to respond to them.

21. **Mr. Cabrera** (Peru) expressed support for the draft resolution, of which his delegation wished to become a sponsor, and welcomed the initiation of a legal process which would culminate in an international convention.

22. **Mr. Stevčevski** (the former Yugoslav Republic of Macedonia) and **Ms. Eugène** (Haiti) said their countries wished to become sponsors of draft resolution A/C.6/56/L.19.

23. **Mr. Ekedede** (Nigeria) said his delegation also wished to become a sponsor of the draft resolution. Practices harmful to human dignity should be stopped before they had a chance to spread. The objection that to do so would drive them underground merely showed that the practices themselves were unlawful and unacceptable.

24. **Archbishop Martino** (Observer for the Holy See) said it was a matter of urgency to adopt a universal normative instrument on human reproductive cloning. If permitted, the practice would result in human beings with an impoverished genetic heritage and an anomalous relationship with parents and relatives. The ethical and juridical consequences would imperil the future of humanity. The United Nations was called upon to take action to protect human dignity and life within the family, and the proposal which was the subject of the draft resolution warranted the special attention of the international community. The proposal to include cloning among the practices of assisted procreation had emerged despite the widespread rejection by international bodies, and scientists of repute, of the notion of cloning for reproductive purposes. The position of the Holy See on the question had already been expressed in a document of the Pontifical Academy for Life entitled "Reflections on Cloning", issued on 25 June 1997. On moral and ethical grounds, the Holy See rejected all aspects of the

cloning of humans. The generation of a child by asexual and agamic means would result in a lack of union between the person and the gametes, imposing instead the image of the donor on the new human being and denying human dignity to the child. International law was bound to defend human life and future generations from the possible abuses of science and technology. It was the responsibility of decision makers within Governments, as well as the scientific community, to keep science free from every form of abuse and from every form of submission to partisan interests.

25. However, reproductive cloning was only part of the overall issue. Action must be taken to prohibit the production of human embryos as suppliers of specialized stem cells and embryos for use in the treatment of certain diseases, to be destroyed afterwards. Those practices, known as therapeutic cloning, involved the creation of human beings for the purpose of destroying them. They were promoted by certain scientific and industrial circles for economic gain, and constituted even more serious offences against human dignity and the right to life. Moreover, the cloning of human beings had been declared by scientists to be unnecessary, since the same stem cells could be obtained by other, acceptable, means. The principle that human beings, or embryos, should not be used as objects, or be sacrificed, was always valid, even when others might benefit from such practices. As Pope John Paul II had stated in "Evangelium Vitae" on 25 March 1995, every innocent human being was absolutely equal to all others.

26. **Mr. Zellweger** (Observer for Switzerland) thanked the delegations of France and Germany for their initiative, and expressed his delegation's approval of the draft resolution. Like other States, Switzerland was deeply concerned about the intentions of researchers and laboratories to begin reproductive cloning in the near future. Such practices were prohibited in Switzerland, both by article 119 of the Constitution of the Federation and by the federal law on medically assisted procreation. However, action against them at the national level would not be enough: the situation called for international cooperation to harmonize national approaches, set limits and provide for deterrent measures. Switzerland supported the draft resolution, and intended to participate actively in the work of the future Ad Hoc Committee. It also endorsed the mandate proposed for the Committee, which would

include drawing up a list of the existing international instruments to be taken into consideration, and a list of the legal issues to be addressed in the convention.

27. **Mr. Mikulka** (Secretary of the Committee) explained the programme budget implications arising from draft resolution A/C.6/56/L.19. The Ad Hoc Committee would meet in New York in 2002 for one week, holding two meetings a day with interpretation in all six official languages. There would be 60 pages of pre-session, 30 pages of in-session and 50 pages of post-session documentation in the six languages. The Ad Hoc Committee would continue its work during the fifty-seventh session of the General Assembly, in the framework of a working group of the Sixth Committee. Conference-servicing requirements for one week of meetings were estimated at \$269,400. Provision had been made in the conference services section of the proposed programme budget for the biennium for meetings authorized after the preparation of the budget, provided the number and distribution of meetings were consistent with the pattern of meetings in previous years. Consequently, no additional appropriation would be required if the General Assembly adopted the draft resolution.

28. **Mr. Fruchtbaum** (Grenada) said that in the light of the views expressed, he was withdrawing his delegation's proposal to amend the title of the draft resolution by substituting "on" or "concerning" for "against".

29. *Draft resolution A/C.6/56/L.19 was adopted.*

**Agenda item 167: Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel** (*continued*) (A/C.6/56/L.18)

30. **Ms. Geddis** (New Zealand), introducing draft resolution A/C.6/56/L.18, said that France, Greece, Luxembourg, Poland and Romania had joined the list of sponsors. The draft resolution was largely procedural and was intended to give effect to the recommendations in the Secretary-General's report (A/55/637) aimed at strengthening legal protection for United Nations and associated personnel. The key proposal was contained in paragraph 7, calling for the establishment of an Ad Hoc Committee open to all Member States or members of the specialized agencies or of the International Atomic Energy Agency, to consider the recommendations made in that report. After studying the report, the Sixth Committee would

have to consider whether to continue work on the subject during the fifty-seventh session of the General Assembly. One short-term proposal, in paragraph 4, recommended seeking the inclusion of the relevant provisions of the Convention in the status-of-forces or status-of-mission agreements concluded by the United Nations. As Nauru had ratified the Convention, the number of ratifying or acceding States in the last preambular paragraph should read 55, not 54.

31. **Mr. Mikulka** (Secretary of the Committee) explained the programme budget implications arising from draft resolution A/C.6/56/L.18. The Ad Hoc Committee would meet for one week in New York in 2002, probably in early April, holding two meetings a day. There would be 30 pages of pre-session, 30 pages of in-session and 20 pages of post-session documentation in all six official languages. The Ad Hoc Committee would continue its work during the fifty-seventh session of the General Assembly, in the framework of a working group of the Sixth Committee. Conference-servicing requirements for one week of meetings were estimated at \$188,900. Provision had been made in the conference services section of the proposed programme budget for the biennium for meetings authorized after the preparation of the budget, provided that the number and distribution of meetings were consistent with the pattern of meetings in previous years. Consequently, no additional appropriation would be required if the General Assembly adopted the draft resolution.

32. *Draft resolution A/C.6/56/L.18, as orally revised, was adopted.*

**Agenda item 162: Report of the International Law Commission on the work of its fifty-third session** (*continued*) (A/C.6/56/L.17 and L.20)

*Draft resolution A/C.6/56/L.17*

33. **Ms. Gnecco** (Colombia), introducing the draft resolution, drew attention to the first and third preambular paragraphs and to paragraphs 2, 3, 4, 8, 11 and 21. Paragraph 8, which requested the International Law Commission to begin its work on the topic "Responsibility of international organizations", had been incorporated into the proposal at the urging of Member States. She hoped that it would be acceptable to all delegations, and also hoped that the draft resolution would be adopted by consensus.

34. *Draft resolution A/C.6/56/L.17 was adopted.*

*Draft resolution A/C.6/56/L.20*

35. **Mr. Vázquez** (Ecuador), introducing the draft resolution, said that the adoption on second reading by the International Law Commission of the draft articles on responsibility of States for internationally wrongful acts constituted the successful conclusion of a topic that had been on the Commission's agenda since its inception. After drawing attention to the second, third and fourth preambular paragraphs and to paragraphs 1 to 4 of the draft resolution, he expressed the hope that it would be adopted by consensus.

36. *Draft resolution A/C.6/56/L.20 was adopted.*

**Agenda item 161: Report of the United Nations Commission on International Trade Law on the work of its thirty-fourth session (continued)** (A/C.6/56/L.8, L.11 and L.12 and Corr.1)

*Draft resolution A/C.6/56/L.8*

37. **The Chairman** invited the Committee to take action on the draft resolution, which had been introduced by the representative of Austria at a previous meeting.

38. *Draft resolution A/C.6/56/L.8 was adopted.*

*Draft resolution A/C.6/56/L.11*

39. **The Chairman** invited the Committee to take action on the draft resolution proposed by the Bureau, which he had introduced at a previous meeting.

40. *Draft resolution A/C.6/56/L.11 was adopted.*

*Draft resolution A/C.6/56/L.12 and Corr.1*

41. **The Chairman** invited the Committee to take action on the draft resolution, proposed by the Bureau, which he had introduced at a previous meeting.

42. *Draft resolution A/C.6/56/L.12 and Corr.1 was adopted.*

**Agenda item 164: Establishment of the International Criminal Court (continued)** (A/C.6/56/L.21 and L.25)

*Draft resolution A/C.6/56/L.21*

43. **The Chairman** drew attention to a note by the Secretariat (A/C.6/56/L.25) concerning the

responsibilities entrusted to the Secretary-General under the draft resolution.

44. **Mr. Keyzer** (Netherlands), introducing the draft resolution, drew attention to a revision in the last preambular paragraph: the words "by September" should be substituted for "in summer or early fall".

45. The draft resolution reflected the outcome of bilateral consultations with interested delegations. Broad-based support had been expressed for the resolution as drafted, and his delegation had received only a few proposals for changes. The draft resolution, which was similar to that of the previous year, took into account developments that had occurred at the two previous sessions of the General Assembly and the two previous sessions of the Preparatory Commission. It allowed the United Nations to remain seized of the essential issue of universal jurisdiction and, at a practical level, allowed for the holding of two sessions of the Preparatory Commission in April and July 2002.

46. The draft resolution also provided for the first Assembly of States Parties to take place at United Nations Headquarters following the deposit of the sixtieth instrument of ratification. As the Assembly was not a United Nations body, its financing must come from outside the Organization; a trust fund would be established for that purpose at a later stage. In that connection, he drew attention to paragraph 11 of document A/C.6/56/L.25.

47. **Mr. Mikulka** (Secretary of the Committee) drew attention to the requests contained in paragraphs 4 and 5 of the draft resolution, which had financial implications. Each two-week session of the Preparatory Commission would have two meetings per day with interpretation in the six official languages of the United Nations. It was estimated that for each session, there would be 250 pages of pre-session documentation, 250 pages of in-session documentation, and 120 pages of post-session documentation in all the official languages.

48. The conference-servicing requirements for the two sessions were estimated at \$1,744,400 in 2002 on a full-cost basis. The extent to which the Organization's permanent capacity would need to be supplemented by temporary assistance could be determined only in the light of the calendar of conferences and meetings for the biennium 2002-2003. However, provision was made under section 2, General Assembly affairs and conference services, of the programme budget for the

biennium not only for meetings programmed at the time of budget preparation, but also for meetings authorized subsequently, provided that the number and distribution of meetings was consistent with the pattern of meetings of past years.

49. The request and the decision contained in paragraphs 9 and 10 of the draft resolution would have no financial implications for the regular budget, as indicated in document A/C.6/56/L.25. Consequently, should the General Assembly adopt the draft resolution, no additional appropriation would be required for the biennium 2002-2003.

50. **Mr. Rostow** (United States of America), explaining his delegation's position before action was taken on the draft resolution, said that the United States would not participate in its adoption. His Government continued to have serious objections to the Rome Statute. Those objections included, but were not limited to, issues relating to jurisdiction, due process, relationship to the overriding law, the jus cogens of the Charter of the United Nations, particularly with regard to the question of aggression, and politicization.

51. *Draft resolution A/C.6/56/L.21, as orally revised, was adopted.*

**Agenda item 176: Observer status for Partners in Population and Development in the General Assembly (continued) (A/C.6/56/L.23)**

*Draft decision A/C.6/56/L.23*

52. **The Chairman** said it was his understanding that the draft decision replaced draft resolution A/C.6/56/L.4 and Corr.1.

53. **Mr. Mannan** (Bangladesh), introducing the draft decision, said that since the introduction of the agenda item on 19 October, some delegations had sought clarification of substantive issues relating to the item. Further consultations had been required, but it had not been possible to schedule them, owing to the Committee's workload. It was to be hoped that the matter could be addressed early in the Committee's next session. In that context, his delegation and the other sponsors of the item concurred with the draft decision proposed by the Chairman.

54. *Draft decision A/C.6/56/L.23 was adopted.*

**Agenda item 168: Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly (continued) (A/C.6/56/L.5)**

55. **The Chairman** drew attention to a linguistic problem in the English text of draft decision A/C.6/56/L.5 which the Committee had adopted on 29 October. He suggested that the wording of the draft decision should be brought into line with that of draft decision A/C.6/56/L.23, which the Committee had adopted at the current meeting. The corrected version of document A/C.6/56/L.5 would appear in the Committee's report to the General Assembly.

56. *It was so decided.*

**Agenda item 21: Cooperation between the United Nations and regional and other organizations**

**(f) Cooperation between the United Nations and the Inter-Parliamentary Union (A/56/614; A/C.6/56/2 and A/C.6/56/L.24)**

*Draft resolution A/C.6/56/L.24*

57. **Mr. Narinder Singh** (India), introducing the draft resolution, expressed appreciation to the General Assembly for agreeing to his delegation's suggestion that the agenda item should be referred to the Committee. That would allow the Committee to consider the granting of observer status to the Inter-Parliamentary Union (IPU) and to send its recommendation to the Assembly before 6 December 2001, when the item would be considered at a plenary meeting. The requirement that the Committee consider the granting of observer status before its consideration at a plenary meeting was laid down in Assembly resolution 54/195.

58. The draft resolution was based on the wide consultations which his delegation had held with Member States on the recommendations contained in the report of the Secretary-General (A/55/996). It had been his delegation's intention to put forward a draft resolution on which there would be a broad consensus, as had been the case with other resolutions granting observer status to intergovernmental organizations.

59. After drawing attention to the draft resolution's preambular and operative paragraphs, he said that it was in no way intended to detract from the provisions of General Assembly decision 49/426. In that



connection, he drew attention to paragraph 5 of document A/55/996, which noted that IPU was currently classified as a non-governmental organization in consultative status with the Economic and Social Council. As indicated by the Secretary-General, however, that classification dated back to 1947, and thus no longer corresponded to the status of IPU as a unique inter-State organization representing 141 parliaments.

60. He drew attention, furthermore, to paragraph 13 of document A/55/996, in which the Secretary-General recommended that, as an exception to the criteria established by the Assembly in its decision 49/426, the Assembly might wish to grant observer status to IPU.

61. **Mr. Akamatsu** (Japan), explaining his delegation's position before action was taken on the draft resolution, said that Japan supported the granting of observer status to IPU. Nevertheless, the draft resolution was inconsistent with General Assembly decision 49/426, which provided that observer status should be granted to intergovernmental organizations, not to individuals. His delegation had strong concerns in that regard. It also believed that the draft resolution departed significantly from the proposals adopted at the 106th Inter-Parliamentary Conference, held in September, proposals which his delegation supported. For that reason, it could not support the draft resolution.

62. **The Chairman** said that the Committee would take action on the draft resolution at a later meeting.

**Agenda item 166: Measures to eliminate international terrorism** (A/56/37 and 160 and Corr.1 and Add.1; A/C.6/56/L.9)

63. **The Chairman** recalled that, although the General Assembly had debated the issue of eliminating international terrorism, it had decided that the consideration of technical aspects should remain with the Committee. No fewer than 167 Member States and four observers had spoken in the plenary meeting, and the seriousness with which the issue was clearly regarded had provided a further impetus to the work of the Working Group of the Sixth Committee.

64. **Mr. Perera** (Chairman of the Working Group established pursuant to General Assembly resolution 55/158), introducing the Working Group's report (A/C.6/56/L.9), said that the Group had been mandated to continue the work of the Ad Hoc Committee

established by resolution 51/210, namely to elaborate a draft comprehensive convention on international terrorism and to address the outstanding issues relating to the elaboration of a draft international convention for the suppression of nuclear terrorism, as well as keeping on its agenda the question of convening a high-level conference under United Nations auspices to formulate a joint organized response by the international community to terrorism in all its forms.

65. The Group had made considerable progress during its two-week proceedings, and in that connection, he drew attention to part II A and annex IV, section A, of the report. Several key issues remained to be resolved, however. As stated in paragraph 19, the Working Group recommended that work on the elaboration of a draft comprehensive convention on international terrorism should continue as a matter of urgency.

66. The work on the elaboration of the draft international convention for the suppression of acts of nuclear terrorism was reflected in part II, section B. Paragraph 20 contained the Working Group's recommendation that the coordinator for the draft international convention should continue consultations on the draft convention and report to the Committee. The question of convening a high-level conference was covered in part II, section C.

67. Annex I, part A, set out the revised text of articles 3-17 bis and 20-27, on which there was already substantial agreement, while annex I, part B, contained the informal texts of articles 2 and 2 bis, which required further consideration. Those two articles and article 18 had, however, been negotiated as a package. Their final outcome would therefore depend on consensus being reached on all three. All written and oral proposals relating to the articles and to outstanding issues remained on the table.

68. Working in a spirit of compromise and flexibility, the Working Group had made considerable progress towards completing the text of the draft convention on international terrorism. The issues that remained pending involved politically sensitive matters that would require political will and compromise. The General Assembly debate and the events of 11 September 2001 had injected a sense of urgency into the international community's fight against international terrorism. The conclusion of the convention would constitute another important step in

the global response to terrorism and he hoped that the General Assembly would be in a position to adopt it at the current session.

69. **Mr. Rowe** (Australia), speaking as coordinator for the draft international convention on the suppression of acts of nuclear terrorism, said that, following consultations, it had been agreed that work on the draft convention should continue and, indeed, should be given priority at future meetings of the Working Group in order that it might be concluded as expeditiously as possible.

70. **The Chairman** recalled that the Bureau had requested Mr. Vámos-Goldman of the Canadian delegation to act as coordinator of the draft resolution on measures to eliminate international terrorism. It was hoped that the consultations that he had been conducting for some time would shortly be completed and that the draft resolution on the item would be issued in all the official languages the following day.

71. International terrorism was the concern of both the General Assembly and the Security Council. The presence of the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism therefore provided a good opportunity for the Sixth Committee to be apprised of the developments in that Committee.

72. **Sir Jeremy Greenstock** (Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism) said that the Sixth Committee had a vital role to play in establishing international rules for combating terrorism. The two draft conventions under consideration by the Committee and the three Security Council resolutions on the matter, the most recent of which was resolution 1378 (2001), were all directed at the same goal. His Committee — which was known as the Counter-Terrorism Committee — was but one instrument among many. It was vital for the international community to express its denunciation of international terrorism and the various actions undertaken were particularly appropriate at a time when the world was focused on the problem. He therefore urged the Sixth Committee to finalize its work on the two draft conventions before it.

73. The Counter-Terrorism Committee's job was to improve the ability of every country to combat terrorism; it was currently discussing how reports from Member States, which were due before the end of the

year, should be processed, how operational gaps should be filled and how the contribution of experts could best be used. The Committee would not, however, attempt to resolve the unresolvable, where subjective perceptions of terrorism were concerned; highly political difficulties would be better dealt with in a regional context. The reports from Member States would serve to identify where they wanted assistance and how his Committee could provide it, whether through existing channels or through new programmes, to which donor States would doubtless be willing to subscribe. He would be happy to discuss any such ideas with the Sixth Committee in greater detail. Lastly, he hoped that, when the Counter-Terrorism Committee's activities intensified with its consideration of reports, cooperation between the Security Council and the General Assembly could be increased.

74. **Mr. Corell** (Under-Secretary-General for Legal Affairs, The Legal Counsel) said that the Secretary-General, who was following the Committee's work with interest, found the outcome of the meetings of the Working Group and of the consultations conducted by the coordinator for the draft international convention on the suppression of nuclear terrorism most encouraging.

75. **Mr. Rowe** (Australia) said that he would be conducting consultations, on articles 2 bis and 18 in particular, on a bilateral basis with a wide range of delegations.

#### **Agenda item 159: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law** (*continued*)

76. **Mr. Fruchtbaum** (Grenada), referring to his statement at an earlier meeting concerning the importance of the wide dissemination of concepts of international law, said that, admirable though it was, the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was too focused on lawyers. He asked the Committee to consider establishing a programme directed at a wider public, to include journalists, film-makers and other publicists. It was essential to emphasize the practical importance of international law.

*The meeting rose at 12.55 p.m.*