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Chairman: Mr. Prandler (Hungary)

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The meeting was called to order at 10.10 a.m.

Agenda item 160: Measures to eliminate international terrorism (*continued*) (A/57/37, A/57/183 and Add.1, A/57/66, A/57/84-S/2002/645, A/57/88-S/2002/672, A/57/203, A/57/269-S/2002/854, A/57/273-S/2002/875, A/57/341-S/2002/950)

1. **Mr. Haji Zulhasnan Rafique** (Malaysia) said that his delegation aligned itself with the statement made by Viet Nam on behalf of the Association of South-East Asian Nations and the statement by the Sudan on behalf of the Organization of the Islamic Conference. In the past year the prompt action of the Security Council had galvanized global efforts against international terrorism, resulting, among other things, in tighter financial and border controls in many countries, including Malaysia, and greater exchange of information between law enforcement agencies. While firmly committed to fighting the menace at the domestic, regional and international levels, Malaysia believed that efforts to combat terrorism must adhere to the norms and principles of international law and should be led by the United Nations.

2. An internationally agreed definition of terrorism and terrorist acts, arrived at under the auspices of the United Nations, would greatly assist collective efforts to combat terrorism. The definition provided in the Declaration on Measures to Eliminate International Terrorism (A/49/60, annex) was useful, but his delegations shared the concern expressed regarding the need to differentiate terrorism and terrorist acts from the legitimate struggle and resistance of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination. Although the ends could never justify the means, the acts of terrorism currently being perpetrated were rooted in unaddressed political and economic grievances, and his delegation was concerned at the lack of urgency in addressing the underlying causes. Terrorism could not be overcome by force alone, but would require a comprehensive strategy encompassing political, economic, diplomatic, social and other measures. His delegation reiterated its call for the convening of a high-level conference under the auspices of the United Nations to address the issue.

3. **Ms. Jarbussynova** (Kazakhstan) said that the tragic events of 11 September 2001 had forced the international community to recognize that terrorism

must be addressed globally by strengthening international cooperation. Kazakhstan had resolutely supported counter-terrorist actions by the international coalition and had contributed to the settlement of the situation in Afghanistan. Her delegation agreed that the United Nations should play the key role in post-conflict peace-building in that country. The problem of drug trafficking from Afghanistan through the territories of the Central Asian States required urgent attention by the international community, particularly in view of the importance of drug trafficking in the financing of international terrorism.

4. At the national level a number of acts, decrees and amendments to legislation had been passed or were being proposed to combat terrorism and extremism and prevent money-laundering. Kazakhstan was reviewing the international instruments on terrorism with a view to becoming a party to them; it was in the process of ratifying the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism.

5. At the regional level Kazakhstan was a party to the Tashkent Agreement between four Central Asian States on joint action to fight terrorism, political and religious extremism, transnational organized crime and other threats to the stability and security of the parties, and to the Convention on Combating Terrorism, Separatism and Extremism concluded between the member States of the Shanghai Cooperation Organization (SCO). It had contributed to the establishment of the Commonwealth of Independent States Anti-Terrorist Centre, and a similar mechanism was being established in the SCO framework. Kazakhstan had also concluded bilateral cooperation agreements with many countries on combating terrorism and international organized crime and was cooperating actively with other States in combating the supply of financing and weapons to terrorists.

6. Of great significance were the Almaty Act and the Declaration on Eliminating Terrorism and Promoting Dialogue among Civilizations adopted at the summit meeting of the Conference on Interaction and Confidence-building Measures in Asia. For the first time, the Heads of State of the major Asian countries had come together to search for ways to strengthen peace and stability in the region and combat international terrorism. They had condemned all forms and manifestations of terrorism and agreed to unite

their efforts to prevent terrorist acts from being prepared, assisted or financed from their territories.

7. Terrorism could only be eliminated through the participation of all States in a comprehensive effort under the auspices of the United Nations. States must upgrade their capacity and coordinate their measures to implement Security Council resolution 1373 (2001). Gaps in the current legal framework should be filled by a comprehensive convention on international terrorism and an international convention for the suppression of acts of nuclear terrorism, and the question of convening a high-level conference on terrorism should be kept on the agenda.

8. **Mr. Requeijo Gual** (Cuba) said that Cuba wished to reiterate its condemnation of all forms of terrorism, including State terrorism. Cuba would never allow its territory to be used for terrorist actions against other States, and it was opposed to terrorism and war. It was for the United Nations alone to tackle the grave problem of terrorism in depth and with serenity, resolve and energy, for only the United Nations could give legitimacy to the global struggle against terrorism.

9. Cuba attributed particular importance to the Declaration on Measures to Eliminate International Terrorism (A/49/60, annex), which in paragraph 1 unequivocally condemned “all acts, methods and practices of terrorism, as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States” and in paragraph 5 (a) urged States “to refrain from organizing, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens”. His delegation believed that a definition of State responsibility in that regard should be elaborated.

10. In keeping with paragraph 7 of the Declaration, his delegation was in favour of the adoption of a comprehensive legal framework on international terrorism, which should include the following elements. First, it should be broad in scope and cover both individuals and legal persons. The activities of the armed forces of a State that were not governed by international humanitarian law should not be excluded,

since such an exception would only serve as a pretext for aggression. Second, it should contain a general definition of the offence of terrorism which spelled out both the material (*actus rea*) and mental (*mens rea*) elements constituting a terrorist act in order to avoid selective and politically motivated interpretations. The structure of the definition should be alternative rather than cumulative, and the determination of the offence should not depend fundamentally on a threshold value or scale of material damage caused. The convention should envisage the commission of a crime of terrorism by omission and should place the offence of terrorist financing among the offences deriving from the principal criminal offence.

11. The only feasible approach was to strengthen international cooperation in order to be able to launch global actions, on the basis of consensus, that were in conformity with the Charter of the United Nations, international law and the relevant conventions, and the General Assembly should assume the central role in that effort. His delegation had always demonstrated a willingness to support any viable proposal that would advance the struggle against terrorism. However, the inherent right of self-defence should not be invoked to justify acts of terrorism by one State against another, and the principle of the legitimacy of the struggle of peoples for self-determination remained valid.

12. His delegation strongly rejected dangerous, politically motivated and illegal acts of a unilateral character, such as the elaboration of lists of countries sponsoring terrorism, the baseless accusations by government officials and the verification processes in which the United States of America was engaging, in violation of the Charter, international law and General Assembly resolutions, on the pretext of countering terrorism. As an example, the United States Deputy Assistant Secretary of State for Western Hemisphere Affairs, Daniel Fisk, had made irresponsible accusations that Cuba was attempting to hinder the United States authorities in their counter-terrorist efforts. That was simply untrue, and Cuba challenged him to provide a single proof of his slanderous statements.

13. Cuba had undertaken many measures, legislative, executive, judicial and investigative, to combat terrorism, details of which could be found in the report of the Secretary-General on measures to eliminate international terrorism (A/57/183, para. 39) and in Cuba's report to the Counter-Terrorism Committee

(S/2002/15). In addition, the Government had proposed three draft agreements to the Government of the United States: a programme of bilateral cooperation for combating terrorism; an agreement on cooperation to combat illicit trafficking in narcotic drugs and psychotropic substances, and an agreement on questions of migration. All three had been summarily rejected.

14. Cuba itself, for more than four decades, had been a victim of terrorist acts, which had killed more than 3,478 innocent people, injured 2,099 and caused tremendous material damage. Those terrorist acts had been organized, financed and carried out from the territory of the United States with absolute impunity, with the condonation and even the complicity of United States authorities, which allowed known terrorist organizations safe haven to organize and train and maintain bank accounts to finance terrorism against Cuba.

15. Yet Cuban citizens Gerardo Hernández, Ramon Labañino and Fernando González, and United States citizens René González and Antonio Guerrero, who had merely sought to obtain information about the activity of terrorist organizations in Miami in order to save lives, had been unfairly sentenced by a federal court in Miami without due process to long terms of imprisonment and had been subjected to inhumane, cruel and degrading treatment.

16. In the meantime, the terrorist mafia based in Miami was continuing to try to abort the judicial proceedings in Panama against the conspirators who had planned to kill the President of Cuba on the occasion of the Tenth Ibero-American Summit in 2000 by placing high-powered explosives in the auditorium where he was to speak, an act that would have killed hundreds of innocent people. Large sums of money had been sent from the United States, not only for their defence, but to pay for bribes and media campaigns and privileged treatment for the detainees.

17. It was inconsistent to urge measures to eliminate international terrorism while turning a blind eye to such outrages, or to talk of international cooperation while allowing confessed terrorists to remain free. In denouncing the situation, Cuba wished to reaffirm its commitment to eliminating international terrorism in all its manifestations, providing cooperation that addressed its root causes, rather than dealing in slogans

that were a mere cover for an arrogant and arbitrary appetite for power.

18. **Mr. Medrek** (Morocco) said that, one year after terrorist attacks had plunged the United States of America and the human family into mourning, his delegation wished to reiterate its unequivocal condemnation of terrorism, whatever its form or motive. Terrorism was a crime against humanity which sought to undermine international peace and security and also constituted a major obstacle to economic and social development. The attacks of 11 September 2001 had had profound repercussions on the international community, since future conflicts would not necessarily occur between States but between States and powerful transnational groups which were widely dispersed and elusive.

19. The United Nations remained the appropriate forum for any attempts to fight terrorism, and there was a broad range of United Nations conventions, treaties and declarations in that area. The evolution of those instruments, from the International Civil Aviation Organization agreements of the 1970s to the conventions recently adopted by the General Assembly, reflected the determination of the international community to contain terrorism not only at the technical level, but also at the political level.

20. His delegation supported the proposal to convene a high-level international conference on terrorism. A comprehensive convention on international terrorism would fill the gaps in the existing regime while preserving its achievements. One of the major difficulties encountered in the consultations on the convention was the question of the definition of terrorism, which was a difficult but necessary exercise. Any attempt to define terrorism must take into consideration the difference between a legitimate struggle against foreign occupation, as in the case of the Palestinian people, and such barbaric acts as the attack on the United States of America. The root causes of terrorism must also be addressed, although they could not be used as a justification.

21. Morocco took seriously its obligations under international law to combat terrorism, and had made the provisions of Security Council resolution 1373 (2001) part of its domestic law. It had established an inter-ministerial coordination structure, and issued instructions to the financial and banking system to freeze funds and other assets related to terrorism.

Moreover, it had signed and recently ratified the International Convention for the Suppression of the Financing of Terrorism.

22. The success of any action against terrorism depended on solidarity among all the members of the international community. The actions of individual States would be inadequate without regional and international cooperation. Morocco had hosted a special ministerial meeting of the Mediterranean Forum on terrorism and security, which had brought together European and Arab countries to evaluate the impact of the events of 11 September on the region, and had participated in a number of regional meetings on terrorism.

23. **Mr. Adamia** (Georgia) said that the terrorist attacks of 11 September 2001 had served as a reminder of the complexities of shaping a new international system based on the values of the Millennium Declaration, values which permeated the efforts of the global anti-terrorist coalition, of which Georgia was an active member. An effective response to terrorism would involve legal, political and economic measures.

24. His Government attached great importance to the legal framework for measures against terrorism, and had acceded to six out of the twelve international conventions in that area. It had also begun the ratification process for the Convention against Transnational Organized Crime. It was cooperating closely with the Counter-Terrorism Committee of the Security Council and would soon receive an assessment mission that would make recommendations for a more effective domestic response to terrorism. Its national efforts were coordinated with a global framework through the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and GUUAM.

25. In accordance with its obligations to suppress and prevent terrorism, the Government had launched an anti-terrorist operation in the Pankisi Gorge, which had driven out Chechen boeviks. The military phase of the operation had been completed and Georgian law enforcement agencies had embarked on the anti-criminal phase through measures to maintain law and order in that region.

26. Under those circumstances, it was not clear what purpose was being served by the anti-Georgia sentiment being fanned by the Russian media. The accusations that Georgia was condoning terrorism

could not be further from the truth. International monitors had been invited to verify that the conflict in the Pankisi Gorge had been ended. Recent fighting had erupted in the territory of the Russian Federation, 100 km from the border with Georgia, and thus Georgia could not be blamed. Neither the situation in the Pankisi Gorge, which was a side effect of the ongoing conflict in Chechnya, nor measures undertaken by Georgia in compliance with international law and Security Council resolution 1373 (2001), warranted the use of force by the Russian Federation under Article 51 of the Charter. OSCE monitoring of the situation on the Georgian-Russian border in 2000 had not detected a single serious violation of the border regime from the Georgian side.

27. It was a fact that the Russian Federation was supporting separatist regimes in two regions of Georgia, namely Abkhazia and Tskhinvali/South Ossetia. Those regions had degenerated into areas of lawlessness, where grave human rights violations and terror were a part of daily life. The Abkhaz regime, which received unconditional support from Russian officials, had engaged in ethnic cleansing by expelling 300,000 Georgians from their homes, and 2,000 civilians had been killed by separatists in the conflict zone, with no intervention from the Russian peacekeeping force, and even their direct participation on occasion. A notorious terrorist, Igor Giorgadze, wanted for several assassination attempts against President Shevardnadze, had been given refuge in the Russian Federation and all requests for his extradition had been denied.

28. The international community had a duty to respond on the basis of shared responsibility to ensure that measures to eliminate international terrorism were not used to attack the independence of a democratic country. International norms applied equally to all States regardless of their location or size. All countries must agree that in meeting the challenges of international terrorism, unity was needed as never before.

29. **Ms. Ahmad** (Canada) said that, to confront the scourge of terrorism, Canada had first turned to the existing international framework, and was now a party to all 12 of the international counter-terrorism instruments. Her delegation supported the pragmatic approach to the draft comprehensive convention on international terrorism and the draft convention for the suppression of acts of nuclear terrorism as law

enforcement tools. The United Nations must send a clear message of unity in the fight against terrorism. Canada had taken measures to implement Security Council resolution 1373 (2001) by applying the United Nations suppression of terrorism regulations.

30. At the summit of the group of eight major industrialized countries in January 2002, the leaders of those countries had reiterated their commitment to sustained and comprehensive actions to deny support or sanctuary to terrorists, to bring terrorists to justice and to reduce the threat of terrorist attacks. They had agreed on a set of six non-proliferation principles aimed at preventing terrorists from acquiring or developing nuclear, chemical, radiological and biological weapons, missiles and related materials, equipment or technologies. They had also launched a new global partnership against the spread of weapons and materials of mass destruction and agreed on new initiatives to strengthen the security and efficiency of the global transportation system. As current Chairman of the Group of Eight, Canada had also initiated a cooperative relationship with the Counter-Terrorism Committee.

31. Canada had long promoted human rights, good governance, the rule of law and democratic development as important factors in creating just, equitable, stable and secure societies. It saw great value in alleviating conditions that might render individuals and groups vulnerable to exploitation by terrorists.

32. **Mr. Akram** (Pakistan) said that the catastrophic attacks of 11 September 2001 had fundamentally transformed the determination of the international community to deal with that phenomenon. There had been considerable progress in the past year in the struggle against international terrorism.

33. First and foremost, the war against terrorism in Afghanistan and elsewhere had led to the virtual destruction of the Al-Qaeda organization and its support structures. Pakistan would continue to play a critical role in the operational aspects of that struggle. With the establishment of the Counter-Terrorism Committee, a legal mechanism had been devised to halt financial and other support to terrorist organizations and groups. As a member of the Security Council during the coming two years, Pakistan would work actively to pursue the objectives of its resolution 1373 (2001). There had been considerable advances, as well,

in the acceptance of international instruments dealing with terrorism. Pakistan, for its part, had signed or ratified 11 of the 12 United Nations conventions in that area.

34. His delegation endorsed several of the recommendations contained in the report of the Policy Working Group on the United Nations and Terrorism (A/57/273), particularly recommendations 1 and 7. It believed, however, that the recommendations relating to disarmament were unnecessary and could shift attention from terrorism to the instruments used, which, as the events of 11 September had shown, could be unexpected.

35. It must be acknowledged that the ad hoc committee established under General Assembly resolution 51/210 had been unable to make progress towards drawing up a comprehensive international instrument on terrorism. The tensions which had surfaced in regard to the reconciliation of human rights requirements and the imperatives of combating terrorism did not appear to be nearing resolution. It was vital to ensure that the struggle against terrorism was not used to suppress the fundamental right of peoples to self-determination or to justify State terrorism.

36. Terrorism had a history, but no religion or creed. It was deeply distressing that some were using the war against terrorism as a means of spreading hatred against Islam and Muslims. A sustained dialogue between Islamic and Western nations was essential. Equating Islam with terrorism was exacerbating discrimination against Muslim minorities and peoples in various parts of the world, which could lead to a renewed manifestation of the age-old terrorist practice of pogroms against certain peoples.

37. Even as it took practical and legal measures to combat terrorism, the international community must take comprehensive steps to address its root causes. Terrorism often arose from political and economic injustice, foreign occupation and repression, festering disputes and conflicts among nations, or economic deprivation and poverty. The decisions taken must therefore embrace the endeavour to address those root causes through the promotion of just and peaceful solutions to conflicts and universal prosperity.

38. **Mr. Kanu** (Sierra Leone) said that his delegation associated itself with the statement made by the representative of the Sudan on behalf of the Organization of the Islamic Conference. The United

Nations had developed legal means to address the issue of international terrorism since the item had first been included on its agenda in 1972. For the past 10 years, Sierra Leone had grappled with local terrorism that had received both subregional and international support, but the international community had not heeded its call for help until thousands had been killed, raped or mutilated.

39. One way in which the international community was called on to respond to the scourge of terrorism was the elaboration of a comprehensive international convention. His delegation welcomed the agreement reached on the majority of the provisions contained in the draft, and hoped that agreement could soon be reached on draft article 18.

40. In compliance with Security Council resolution 1373 (2001), Sierra Leone was putting into place mechanisms to deal with terrorism, in addition to its existing Criminal Procedure Act. The Counter-Terrorism Committee should be commended for its efforts to give practical effect to the resolution. However, the root causes of terrorism must be addressed, and international rules and standards applied uniformly in combating it. Moral courage and political will were needed in order to call on all States, even friendly States, to behave in conformity with international law.

41. Lastly, his delegation appreciated the comprehensive exchange of views on the draft international convention for the suppression of acts of nuclear terrorism. It also supported the proposal to convene a high-level conference under United Nations auspices to formulate a joint and organized response of the international community to terrorism in all its forms and manifestations.

42. **Mr. Zarif** (Islamic Republic of Iran) said that terrorism had claimed countless innocent lives, disturbed the normal life of many countries, disrupted relations among nations and endangered peace and security in many regions. The barbaric attacks of 11 September 2001 showed that everyone was vulnerable; however, the international community had swiftly expressed its unequivocal condemnation, and bilateral, regional and United Nations action had shown a reinvigorated will to reduce that threat.

43. Iran had long been a victim of terrorism, including acts sponsored by the Taliban and Al-Qaeda, and was a faithful partner in the coalition against

terrorism led by the United Nations. In response to the relevant General Assembly and Security Council resolutions, his Government had established a National Coordination Committee to facilitate implementation of Security Council resolution 1373 (2001); taken steps to ensure the safety of civil aviation; increased security at its borders; enhanced measures to prevent money-laundering; strengthened its military forces along its 900-km border with Afghanistan; carried out extensive operations to locate and remove safe houses in the eastern provinces, arrest over 200 individuals and hand them over to the authorities of their respective countries; reviewed its domestic legislation and begun work on a comprehensive counter-terrorism act; and concluded bilateral security and counter-terrorism agreements.

44. Terrorism must be condemned, regardless of its perpetrators and victims, but efforts to combat it must be consistent with the Charter of the United Nations and with international law. No nation could act unilaterally; only the United Nations could ensure the legitimacy of concerted global action in that long-term struggle. President Khatami had proposed that comprehensive negotiations aimed at uprooting the menace of terrorism should commence and that a global summit on the issue should be convened at the earliest possible date. His delegation urged the Ad Hoc Committee established by General Assembly resolution 51/210 to prepare for the proposed summit, at which the draft comprehensive convention on international terrorism could be adopted. The Sixth Committee should continue to seek agreed solutions to the pending issues relating to the draft convention; it would be particularly useful to establish a definition of terrorism.

45. The international community should make a sober assessment of policies based on the outdated paradigm of "might makes right", which could lead to injustice, deprivation and powerlessness that might provide new pretexts for violence and terror. A single set of standards must apply to all; it was unacceptable for patterns of alliance to become the determining factor. Thus, the credibility of the campaign against terror was seriously undermined when policies and practices designed to instil terror among the entire Palestinian people met with silence and even support while resistance to foreign occupation was conveniently demonized. Similarly, attempts to attribute terror to a particular religion or ethnic group allowed terrorists to hide behind such false perceptions. Divine religions

had always been the harbingers of peace, love, amity and moral decency; any attempt to link them with horrendous crimes such as terrorism was an unforgivable transgression against their countless followers.

46. **Mr. Diab** (Lebanon) said the events of 11 September 2001 had created a need to strengthen human security and had highlighted the importance of solutions based on international law in accordance with the Charter and resolutions of the United Nations. Ignoring the Charter and imposing solutions outside its framework would make a mockery of any international agreement on terrorism that might be ratified. Destructive policies such as occupying the land belonging to another people, while denying them their basic civil, social and economic rights, and murdering and displacing them, or threatening the sovereignty of another nation and its natural resources, were incompatible with the concept of human security which would be embodied in a comprehensive counter-terrorism agreement. Hence such an agreement would have to safeguard the right to fight foreign occupation, in accordance with the principles of international law. Lebanon, which supported Security Council resolution 1373 (2001), would likewise support a counter-terrorism agreement, provided that it was consistent with national sovereignty and drew a distinction between terrorism and the fight against foreign occupation. Furthermore, consideration should be given to the adoption of a draft resolution against nuclear terrorism.

47. Lebanon had fought terrorism in its territory prior to 11 September 2001. The Lebanese Army confronted and managed to control terrorist organizations. Lebanon cooperated with the Counter-Terrorism Committee and the international community to fight any terrorist presence in its territory. Furthermore, Lebanon concurred with the position of the Organization of the Islamic Conference regarding the drafting of a comprehensive counter-terrorism agreement. That position was consistent with General Assembly resolution 46/51 and the Arab counter-terrorism accords of 1998, which drew a distinction between terrorism and the right to combat foreign occupation. Lebanon supported all efforts to find just and comprehensive solutions to the problem of terrorism, including State terrorism such as that afflicting its own region.

48. **Mr. Shinn** (United States of America) said that the scale and horrific character of the acts of 11 September 2001, in which citizens from over half the Organization's Member States had been killed, had galvanized the world unanimously to reject terrorism. There was every reason to believe that such attacks would increase in number and destructiveness unless the international community, including the United Nations, took effective, sustained action.

49. It had long been recognized that terrorism posed a threat to the ideas embodied in the Charter. Thus far, the Organization had risen to the challenge; the General Assembly and the Security Council had expressed their condemnation and had called for international cooperation to prevent and eradicate such heinous acts. The Assembly should reaffirm its support for the Counter-Terrorism Committee, which had received unprecedented cooperation from Member States during its first year of work. Furthermore, by adopting a consensus resolution under agenda item 160, the Assembly could deliver a strong message about the rejection of terrorism as a political instrument. Such a resolution could call on all Member States to adopt additional counter-terrorist legislative and administrative measures; urge all Member States to become parties to the 12 terrorism conventions and protocols; stress the importance of enhancing the capacity of all Member States to combat terrorism; highlight the important role that regional, subregional and functional organizations could play in that area and emphasize the importance of cooperation and communication among States in the fight against terrorism.

50. The Sixth Committee, through the activities of a Working Group during the General Assembly and of the Ad Hoc Committee between sessions, continued to play the primary role in the negotiation and drafting of international instruments on terrorism within the United Nations system. His Government had become a party to the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, two of the Sixth Committee's most recent accomplishments, on 26 July 2002 and was now a party to 12 international counter-terrorism conventions and protocols; he urged other States to follow suit. His delegation hoped that the pending issues relating to the draft comprehensive convention on international terrorism and the draft comprehensive

convention for the suppression of acts of nuclear terrorism would be resolved; the Committee's success in combating that problem was partly the result of its pragmatic focus on practical measures to address particular forms of terrorism.

51. **Mr. Kaszuba** (Poland) said that his delegation aligned itself fully with the statement made by the representative of Denmark on behalf of the European Union and associated countries. Terrorist acts could not be justified by political or other considerations and constituted an attack on the ideals upheld by the United Nations. The negative effects of globalization included the spread of terrorism across borders and required a global response. Poland was or would soon be a party to 12 international conventions and protocols aimed at preventing and suppressing terrorism and welcomed regional instruments such as the European Convention on the Suppression of Terrorism, to which it was a party; it was an active participant in the counter-terrorism activities of the Council of Europe.

52. Without prejudice to the role of regional action, the United Nations was the most suitable forum for efforts to prevent and combat terrorism at the global level. His Government had submitted the required reports on its implementation of Security Council resolution 1373 (2001) to the Counter-Terrorism Committee. However, while practical measures were necessary, it was also important for States to accede to the relevant international conventions and for the Organization to give the highest priority to developing new legal instruments to combat terrorism. He therefore welcomed the progress made by the Ad Hoc Committee and the Working Group; in particular, the two proposed texts of draft article 18 of the draft comprehensive convention on international terrorism provided a good basis for compromise. The constant danger of terrorist attacks made it urgent to complete work on that draft and to strengthen the obligation to provide mutual legal assistance, especially in the area of extradition, and to simplify the relevant procedures. The draft instrument should cover all terrorist acts and its scope should not be limited by political or other considerations. It should recognize the links between transnational organized crime and terrorism and, whenever possible, should take into account the Convention against Transnational Organized Crime. Lastly, he urged that work on the draft convention for the suppression of acts of nuclear terrorism should be completed as quickly as possible.

53. **Mr. Ekedede** (Nigeria) said that terrorism was a global menace that threatened international peace and security and undermined democratic institutions. Emerging democracies were particularly vulnerable. The events of 11 September 2001 had galvanized the international community into taking concerted action against terrorism and the United Nations should continue to play a leading role in that regard. His delegation noted the view that lack of hope for justice provided breeding grounds for terrorism. It was necessary to understand the context from which terrorist activities arose.

54. His delegation was concerned that counter-terrorism efforts should be conducted in accordance with international human rights norms and not become a justification for suppressing legitimate dissent, eliminating political opponents or consolidating political power, since those were the very terrorist tactics the international community condemned. Due process must be respected, including the presumption of innocence, and prolonged incarceration without trial was also unacceptable.

55. International cooperation must be reinforced to tackle the increasing sophistication of terrorists and their links with other criminal activities such as the illicit trade in small arms and precious stones, drug trafficking and money-laundering. His delegation supported the early completion of a draft convention on the suppression of acts of nuclear terrorism and the convening of a high-level conference under the auspices of the United Nations.

56. **Mr. dos Santos** (Mozambique) said that Mozambique was fully committed to combating terrorism in all its forms, wherever and by whomever it was committed. The phenomenon's insidious and transboundary nature called for a global response. His delegation hoped for an early finalization of the draft comprehensive convention on international terrorism and urged all States involved in the negotiations to display greater flexibility to that end.

57. Mozambique had adopted a number of national measures to combat the financing of international terrorism, which were set out in document S/2001/1319. Mozambique would contribute fully to the work of the Counter-Terrorism Committee, which had done useful work in helping Member States to implement their obligations under Security Council resolution 1373 (2001). Coordination at all levels and

among all countries was imperative in the fight against international terrorism.

58. **Mr. Mutahar** (Yemen) said that his country had suffered and was still suffering from terrorism, while continuing to fight it as a danger threatening all. Yemen, which suffered economically from terrorist acts, had been one of the first countries to ratify most of the international counter-terrorism conventions. Its Government responded to all queries put to it by the Counter-Terrorism Committee. Yemen supported those calling for the convening of an international conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism, but emphasized that a distinction should be drawn between terrorism and the right of peoples to resist foreign occupation. Israeli violence against the Palestinians was an example of State terrorism aimed at civilians, a form of terrorism which should be covered by the international efforts to fight terrorism. Yemen supported the position of the Organization of the Islamic Conference, and called for an end to violence, war and destruction.

59. **Mr. Ascencio** (Mexico) said that his Government supported cooperation between States in their joint efforts to eradicate terrorism. However, terrorism was not the only threat to State security and the international community could not afford the luxury of focusing on a single problem.

60. Progress on the draft comprehensive convention on international terrorism during the past year had been slow; however, he trusted that the remaining problems would be solved in the near future in a spirit of compromise. It was also unfortunate that, despite the flexibility demonstrated by his Government and those of many other States, no agreement on the scope of the draft convention on the suppression of nuclear terrorism had been reached; future discussions should take into account recent measures implemented by the International Atomic Energy Agency.

61. The June 2002 adoption of the Inter-American Convention Against Terrorism and the Special Conference on Security to be held in 2003 were proof of his region's consensus on the issue; his Government had been an active participant in the preparation of the Convention and the Conference would be held in Mexico City. However, measures to combat terrorism must be implemented with full respect for human rights, as affirmed in resolution 1906 (XXXII-O/02) of

the General Assembly of the Organization of American States (OAS) on human rights and terrorism. Lastly, he stressed the need for coordination between the United Nations General Assembly and the Security Council in the effort to combat terrorism.

62. **Mr. Nambiar** (India) said that India had always taken a strong stand on counter-terrorism, having been at the receiving end of cross-border terrorism for over two decades. A recent terrorist attack at a temple in Gujarat had killed over 30 innocent civilians, leaving a further 100 severely wounded. Such attacks challenged the established values of society, undermining democracy and law and order.

63. The events of 11 September 2001 had brought home with shocking intensity the range and depth of international terrorism. No country, organization or institution was now beyond its reach. It was thus to be hoped that the global solidarity manifested since the attacks would be maintained and that counter-terrorism efforts would not be confined to one individual or group or deal merely with superficial symptoms. Terrorism should be destroyed at its roots, which also meant eradicating its support bases.

64. The 1994 Declaration on Measures to Eliminate International Terrorism was still being flouted by States that continued to provide moral, financial and logistical support to terrorists. It was necessary to ensure that the Declaration was effectively implemented by all States.

65. Terrorism was a common enemy of peoples of all religions. It should thus be defined with reference to the act, not the perpetrator. International law did not support the argument distinguishing terrorists from freedom-fighters, nor did it permit impunity for crimes against humanity. Terrorists were criminals and no rationalizations advanced by advocates of so-called "root causes" could absolve them from culpability.

66. India had concluded bilateral treaties in a variety of areas to facilitate the exchange of operational information with other States, the development of joint programmes to combat organized crime and terrorism and the extradition of fugitive offenders and suspected terrorists. It was also a party to 12 relevant international instruments on terrorism and domestic procedures were under way with a view to the early ratification of the International Convention for the Suppression of the Financing of Terrorism.

67. India had also recently enacted a Prevention of Terrorism Act that included fundraising for terrorist purposes within a broader definition of “terrorist act” and contained provisions for the seizure of the property and assets of terrorist organizations. The State could now boast a complete legal regime to combat terrorism.

68. His delegation attached the highest priority to the conclusion of a convention on international terrorism and was conscious of the need to achieve consensus on outstanding issues in respect of draft articles 1 and 18. It also favoured the early adoption of a draft convention on the suppression of acts of nuclear terrorism.

69. **Mr. Dimitrijević** (Yugoslavia) said that Yugoslavia had fully supported all activities of the United Nations and other international organizations aimed at combating terrorism and particularly commended the work of the Counter-Terrorism Committee. His delegation agreed that terrorism posed an extremely serious threat to international peace and security and that all States must undertake measures to bring to justice all perpetrators, organizers and sponsors of terrorist acts.

70. A very important share of responsibility for the global drive against terrorism lay with the international legal community, since international legal norms must provide the foundation for all anti-terrorist activities. Terrorism should be defined more precisely by new instruments in order to deal with the phenomenon more effectively.

71. His delegation welcomed the progress made in negotiations on a draft comprehensive convention on international terrorism and hoped that thanks to the new draft submitted by the delegation of India, outstanding problems would be resolved.

72. As many other speakers had pointed out, measures to combat terrorism should never be allowed to interfere with human rights and democratic values, which was why the draft convention should carefully preserve existing principles of international law. Criminal repression was not, however, the only tool against terrorism. Social and economic causes must also be addressed.

73. The United Nations should play the principal role in the fight against international terrorism. The role of other organizations, such as the Organization for Security and Cooperation in Europe, should likewise be

highlighted. Yugoslavia had also given its support to various regional and subregional initiatives.

74. At the national level, the Government had established a body for combating terrorism and had already enforced a broad range of measures, especially in the financial field. A new law on the prevention of money-laundering had taken effect in July 2002.

75. Yugoslavia was a party to most international conventions pertaining to terrorism and had signed relevant bilateral treaties with neighbouring countries.

76. Yugoslavia was determined to do its utmost to contribute to counter-terrorism efforts and to continue complying with its reporting obligations under United Nations and other international instruments.

77. Terrorists were dangerous, sly enemies who now acted globally. Counter-terrorism efforts must thus not be conceived as a series of ad hoc measures, but as part of an insightful long-term strategy led by the United Nations.

78. **Mr. Martínez** (United States of America), speaking in exercise of the right of reply, said that Daniel W. Fisk had not lied; the Castro regime had used both human and electronic means to divert attention and resources from his own Government's counter-terrorism efforts. Even as it piously expressed horror at the 11 September attacks and proffered medical support, its agents had offered false information about pending terrorist attacks on United States or other Western interests and had continued to do so on a regular basis.

79. **President Castro** provided political support for Saddam Hussein and was reported to have expressed interest in working with Iraq to bring the United States to its knees. He had compared President Bush to Hitler and, at the fifty-sixth session of the General Assembly, had accused the United States of war crimes, such as a bombing campaign against the Afghan people. He continued to harbour fugitives from United States justice, including murderers, and, in reference to the establishment of a detention facility for terrorists at Guantanamo, had laughingly expressed the hope that some of the detainees would escape and kill the United States citizens serving there.

80. There was no basis for the accusation that his Government had a long history of engaging in terrorism; its purpose was to deflect criticism from Cuba, which had used terrorism as a foreign policy tool

for the past 40 years and continued to harbour terrorists from a number of countries. René González had been convicted of espionage against the United States and had been treated no differently from anyone else accused and convicted of such a heinous crime. Lastly, with regard to the Cuban delegation's opposition to the practice of maintaining a list of State sponsors of terrorism, the real question was whether Cuba wished to contribute to the global effort against terrorism; the record clearly showed that it did not.

81. **Mr. Requeijo Gual** (Cuba), speaking in exercise of the right of reply, said that the representative of the United States of America had sought to distort his statement, had failed to answer his delegation's questions and had merely reiterated the lies disseminated during the past months by Daniel W. Fisk and other senior officials of the United States Government and by the American media.

82. Cuba remained committed to cooperating with all States which genuinely desired to combat terrorism and did not adopt hypocritical policies. It was unfortunate that the excellent statement made earlier by the representative of the United States, which virtually every delegation could support, was not reflected in practice.

The meeting rose at 1.05 p.m.