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SUMMARY RECORD OF THE 69th MEETING

Chairman: Mr. MENDOZA (Philippines)

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The meeting was called to order at 3.40 p.m.

AGENDA ITEM 123: DRAFTING OF AN INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES (A/31/242; A/C.6/31/3, A/C.6/31/L.10/Rev.1) (continued)

1. Mr. von WECHMAR (Federal Republic of Germany) said he was gratified to announce that agreement had been reached on a consensus text of a draft resolution on the item, which was to be found in document A/C.6/31/L.10/Rev.1. The draft provided for the establishment of an ad hoc committee for the drafting of a convention against the taking of hostages.

2. His delegation was grateful to the large number of States from all continents which had actively supported its initiative in proposing the item from the outset by either co-sponsoring the original version of the draft resolution or supporting it in the Committee. His delegation had also appreciated the attitude of those States which, their differing views on specific elements of that draft resolution notwithstanding, had sought to ensure that the debate was conducted objectively and with the aim of achieving an acceptable compromise. A special tribute was due to the members of the negotiating group, whose skill and untiring efforts had made possible the positive outcome which the revised draft resolution represented.

3. His delegation regarded the revised draft resolution as a useful basis for the work of the proposed ad hoc committee. It sincerely hoped that that committee would be able to produce a text comparable to the existing important instruments referred to in the sixth preambular paragraph of the draft, which had set a pattern for the codification of international criminal law. The proposed convention against the taking of hostages should therefore essentially follow the principles embodied in those earlier instruments.

4. Mr. MATHIAS (India) said he was particularly happy to see the revised draft resolution, which he hoped all members of the Committee would be able to approve without too many reservations. The fact that it had been possible to produce that draft reflected both the tradition of compromise which prevailed within the Committee and the universal desire of the States Members of the United Nations to put an end to a crime from whose effects none of them was immune. As a member of the non-aligned group, his delegation wished to express particular thanks to the delegation of the Libyan Arab Republic for the spirit of co-operation which it had demonstrated in not pressing the amendments to the original draft resolution which it had put forward in document A/C.6/31/L.11.

5. His delegation would be happy to support draft resolution A/C.6/31/L.10/Rev.1, because it condemned the taking of hostages, and because it provided a solid framework for the elaboration of a suitable international convention. That was so even though operative paragraph 3 did not contain the directives to the proposed ad hoc committee which had appeared in the corresponding paragraph of the original draft, an omission which his delegation had at first felt was unnecessary but now saw would not in any way weaken the ability of the proposed committee to deal with

the subject. He felt, however, that the ad hoc committee should seek to arrive at the least at an understanding of the reasons, which were sometimes rooted in frustration and despair, which drove people to commit acts such as the taking of hostages. The ad hoc committee should be constituted in accordance with the principle of equitable geographical distribution, and preferably along exactly the same lines as the Ad Hoc Committee on International Terrorism.

6. Mr. OMAR (Libyan Arab Republic) recalled that his delegation had explained the reasons for its submission of the amendments contained in document A/C.6/31/L.11 at the Committee's 58th meeting. Those amendments had led to various reactions within and outside the Committee. While some representatives had studied the amendments with care and tried to appreciate his country's point of view, one delegation had criticized them quite heatedly. That criticism had in effect constituted a denial of the right of the Libyan delegation to submit amendments, for it had come at a time when, as the delegation concerned had been aware, consultations were already in progress on a possible compromise between the proposals contained in documents A/C.6/31/L.10 and A/C.6/31/L.11.

7. Outside the Committee, the Jewish press had falsely claimed that the Federal Republic of Germany had been considering withdrawing its original proposal because of the opposition to it of African and Arab States, as represented by his delegation's amendments. The racists had been very concerned about the possible inclusion in a draft resolution of the word "innocent", because they knew that they themselves were not innocent. Their tendentious propaganda had therefore been designed to discredit his delegation's amendments and its sincere desire for the establishment of an ad hoc committee on the item under discussion, a matter in which it had a fundamental interest because of its wish to end racism, which was still practised in southern Africa and Palestine.

8. Once again, the racists had lied about the Libyan Arab Republic, whose genuine and sincere efforts through the medium of the negotiating group of five of the non-aligned countries had resulted in the compromise draft resolution now before the Committee. In that respect, thanks were due to the members of the negotiating group and the sponsors of draft resolution A/C.6/31/L.10 for their co-operation. His delegation welcomed the incorporation in the revised draft resolution of the first of the amendments it had proposed and, having withdrawn document A/C.6/31/L.11, would reserve further comments on the second of them until it could make them in the ad hoc committee. He reiterated that his delegation appreciated the humanitarian intent of the original proposal by the Federal Republic of Germany and that it was itself motivated by a desire to protect innocent lives.

9. Mr. REID (Australia) expressed his delegation's appreciation of the sincere and extensive efforts to reach a compromise made by all who had been parties to the negotiations which had resulted in the revised draft resolution. He requested that Australia be added to the list of sponsors of that proposal.

10. Mr. BROMS (Finland) requested that Finland be added to the list of sponsors of the revised draft resolution.

11. Mr. KOLESNIK (Union of Soviet Socialist Republics), observing that there seemed to be wide support in the Committee for the revised draft resolution, expressed the hope that it would be possible to adopt it by consensus. However, certain delegations, including his own, had not yet received instructions concerning the proposal, and he therefore suggested that the Committee postpone its final decision on the matter until the following day, in accordance with rule 78 of the rules of procedure.

12. Mr. FIFOOT (United Kingdom) said that he would appreciate clarification as to whether rule 78 of the rules of procedure could apply to the revised as well as the original versions of draft resolutions.

13. The CHAIRMAN said that, if there was no insistence that the ruling requested by the United Kingdom representative be given at the current stage, he would take it that the Committee approved the suggestion made by the representative of the USSR.

14. It was so decided.

AGENDA ITEM 113: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS, AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE AD HOC COMMITTEE ON INTERNATIONAL TERRORISM (A/9028, A/31/122, A/31/182, A/31/188; A/C.6/31/L.22) (continued)

15. Mr. MBOMA (Zaire) observed that the mandate of the Ad Hoc Committee on International Terrorism had been to propose concrete measures to eliminate the scourge of international terrorism and to make an exhaustive study of its underlying causes with a view to eliminating the evil at its source. In that cause, as in all others pertaining to the full recovery of human dignity, Zaire had been a leader, not only as a member of the Ad Hoc Committee but also as its Rapporteur. His country's position on international terrorism, which it had experienced in the forms of armed aggression, interference in its internal affairs and attacks by mercenaries, was well known. It was therefore with great dismay that it had taken note of the premature suspension of the work of the Ad Hoc Committee, which it hoped would not be transformed into an adjournment sine die of efforts which were clearly of importance for all mankind.

16. Zaire considered that delegations should not take irreversible stands on the divergent opinions which had led to the suspension of the Ad Hoc Committee's work. The search for peace must be carried beyond mere statements of intent. Despite the time which had elapsed since its formulation and the subsequent submission of draft resolutions on various forms of international terrorism, the mandate of the Ad Hoc Committee must be preserved intact. As stated in General Assembly resolution 3034 (XXVII), the Ad Hoc Committee had to consider the just and peaceful solutions proposed by States to the underlying causes of the acts of violence by which

(Mr. Mboma, Zaire)

international terrorism manifested itself, without calling in question either the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination or the legitimacy of the struggle of national liberation movements.

17. His delegation felt that the diversity of the opinions expressed in the Ad Hoc Committee should not be an obstacle to progress, but should enable it better to understand the complexity of the problem with which it had to deal. It believed that the solution to that problem could be found only within the framework of the Ad Hoc Committee, whose work should reflect the effective contribution of every State Member of the United Nations. It hoped that the Ad Hoc Committee's work would be facilitated by a consensus among the various regional groups.

18. Unwillingness by delegations to submit their opinions to open debate was tantamount to requesting the Sixth Committee to revoke the mandate of the Ad Hoc Committee, which would be a somewhat irregular procedure. It was for that reason that his delegation had, in due form, submitted draft resolution A/C.6/31/L.22, which was largely a reflection of General Assembly resolution 3034 (XXVII). It differed from that resolution in expressing regret at the suspension of the Ad Hoc Committee's work and calling for its resumption and in inviting Member States which had not yet done so to assist the Ad Hoc Committee by submitting to the Secretary-General their observations and concrete proposals on the elimination of international terrorism. The words "including summary records" should be added at the end of operative paragraph 11 of the draft resolution and, the French text being the original, the words "with regret" should be deleted from the fourth preambular paragraph of the English version. He announced that Benin, Burundi, Democratic Yemen, Mali, the Sudan, Togo and Zambia had become sponsors of the draft resolution, which he hoped the Committee would be able to adopt by consensus.

19. Mr. Rybakov (Secretary of the Committee) announced that a statement of the financial implications of the draft resolution would be submitted to the Committee the following day.

20. Mr. HOFSTEE (Netherlands) observed that the draft resolution had been issued only recently and had not, so far as he knew, been the subject of wide consultations. In view of the importance of the subject with which it dealt, he was very much afraid that it could not be considered properly in the short amount of time remaining to the Committee. He would therefore be grateful if the sponsors would agree to postpone discussion of it until the thirty-second session of the General Assembly.

21. Mr. MBOMA (Zaire) pointed out that its sponsors had themselves met and held lengthy consultations before submitting the draft resolution.

22. The CHAIRMAN announced that Equatorial Guinea, Niger and the United Republic of Tanzania had become sponsors of the draft resolution.

(The Chairman)

23. Referring to the statement by the Secretary of the Committee, he said that, if there was no objection, he would take it that the Committee agreed to postpone further consideration of the item until the following day.

24. It was so decided.

AGENDA ITEM 109: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY (A/31/26; A/C.6/31/6; A/C.6/31/L.20, L.21) (continued)

25. The CHAIRMAN announced that Bulgaria, Cuba, Czechoslovakia, Hungary and Mongolia had become sponsors of draft resolution A/C.6/31/L.20 and that Niger had become a sponsor of draft resolution A/C.6/31/L.21.

26. Mr. PEDAUYE (Spain) said that his delegation considered the suggestion made by the representative of Costa Rica at the previous meeting that consultations should be held with a view to preparing a compromise draft resolution fully reflecting the recommendations contained in the report of the Committee on Relations with the Host Country (A/31/26) was extremely valuable and would be willing to co-operate in efforts to that end. It was its hope that such a draft resolution could be adopted by consensus.

AGENDA ITEM 112: IMPLEMENTATION BY STATES OF THE PROVISIONS OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF 1961: REPORT OF THE SECRETARY-GENERAL (A/31/145 and Add.1; A/C.6/31/L.16/Rev.1) (continued)

27. Mr. MUSSA (Somalia) said that his delegation, which had been a sponsor of draft resolution A/C.6/31/L.16/Rev.1, had unavoidably been absent when the Committee had taken a decision on that proposal at its previous meeting. Had it been present, his delegation would have voted for the proposal.

The meeting rose at 4.25 p.m.