



# General Assembly

Seventy-fourth session

Official Records

Distr.: General  
14 October 2019

Original: English

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## Sixth Committee

### Summary record of the 3rd meeting

Held at Headquarters, New York, on Tuesday, 8 October 2019, at 11.30 a.m.

*Chair:* Mr. Mlynár ..... (Slovakia)

## Contents

Organization of work

Agenda item 109: Measures to eliminate international terrorism

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19-17324 (E)



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*The meeting was called to order at 12.15 p.m.*

### Organization of work

1. **The Chair** said that, as a path forward to resolve the impasse that had prevented the Committee from proceeding with the consideration of its programme of work at the previous meeting, the Bureau had recommended that the Committee proceed with the part of the programme of work related to agenda items 109 (Measures to eliminate international terrorism), 76 (Criminal accountability of United Nations officials and experts on mission) and 83 (The rule of law at the national and international levels), and to address the rest of the programme of work at a subsequent meeting.

2. **Mr. Nasimfar** (Islamic Republic of Iran) said that although the host country had still not addressed the visa concerns involving the members of his delegation, out of respect for the other delegations present, his delegation would accept the Bureau's recommendation. However, unless those concerns were addressed, the delegation would not be in a position to agree to the Committee proceeding with the consideration of the rest of its programme of work.

3. **The Chair** said he took it that the Committee wished to proceed with the part of the programme of work related to agenda items 109, 76 and 83.

4. *It was so decided.*

5. **The Chair** said that, in accordance with rule 153 of the Rules of Procedure of the General Assembly, no resolution involving expenditure should be recommended by a committee for approval by the General Assembly unless it was accompanied by an estimate of expenditures prepared by the Secretary-General. It was therefore imperative for the Committee to allow sufficient time for the preparation and consideration of estimates of expenditure arising from draft resolutions. In that connection, all draft resolutions with financial implications should be submitted to the Fifth Committee by 6 November 2019, except for draft resolutions relating to agenda items scheduled to be considered after that date.

6. Paragraph 7 of annex VI to the Rules of Procedure of the General Assembly provided that meetings should start at the scheduled time and that the time allotted for meetings should be fully utilized. Over the previous three sessions, the Committee had largely succeeded in utilizing the conference services made available to it efficiently. The utilization rate since the seventieth session had ranged from 86 per cent to 92 per cent, all above the benchmark of 80 per cent established by the General Assembly. However, at the seventy-third

session, the Committee had lost 815 minutes of conference services time due to late starting and early adjournment of its meetings. He therefore intended to start the meetings on time and expected all members to be punctual.

7. He took it that the Committee wished, as in the past, to follow the practice of the General Assembly in giving precedence on the list of speakers to representatives of regional groups or other groups of States; it was also understood that delegations that were aligned with statements already made by the representative of a group of Member States should, where possible, focus additional interventions on points that had not already been adequately addressed in the statements of the group in question.

8. *It was so decided.*

9. **The Chair** said that the Committee would continue to use the Integrated Sustainable PaperSmart Services (PaperSmart) meetings arrangement as part of its efforts to promote sustainability and cost-effectiveness. Delegations were therefore encouraged to rely on the electronic versions of official documents, as the traditional hard copy distribution of documents and statements had been discontinued. Delegations were asked to send electronic copies of their statements to the PaperSmart team for uploading to the PaperSmart portal and to provide 30 hard copies of their statements for the technical services. The PaperSmart portal would be updated on a daily basis with information on forthcoming meetings.

### Agenda item 109: Measures to eliminate international terrorism (A/74/151)

10. **The Chair** drew attention to the report of the Secretary-General on measures to eliminate international terrorism (A/74/151), the report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (A/68/37) and the oral report by the Chair of the Working Group on measures to eliminate international terrorism of the seventy-first session, contained in document A/C.6/72/SR.28.

11. **Mr. Nasimfar** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement unequivocally condemned the crime of terrorism and rejected it in all its forms and manifestations, including acts in which States were directly or indirectly involved. Terrorist acts were a flagrant violation of international law, including international humanitarian and human rights law, in particular the right to life. Such acts endangered the territorial integrity and stability of States and national, regional and international security, and had adverse

consequences for the economic and social development of States.

12. Terrorism should not be equated with the legitimate struggle of peoples under colonial or alien domination and foreign occupation to achieve self-determination and national liberation, nor should it be associated with any religion, nationality, civilization or ethnic group, and any such association should not be used to justify measures such as profiling of suspects and intrusion on privacy. The brutalization of peoples under foreign occupation must be denounced as the gravest form of terrorism, and the use of State power to prevent peoples struggling against such occupation from exercising their inalienable right to self-determination should be condemned.

13. States should honour their obligation under international law and international humanitarian law to combat terrorism by prosecuting or extraditing the perpetrators of terrorist acts and preventing them from organizing, instigating or financing terrorist acts against other States from within or outside their territory. They should themselves refrain from encouraging activities within their territory directed towards the commission of such acts; allowing their territory to be used for the planning, training or financing of such acts; and supplying weapons which could be used for that purpose.

14. The Non-Aligned Movement rejected actions, measures and the use or threat of use of force directed against its members by another State under the pretext of combating terrorism or in pursuit of political aims, including by categorizing them directly or indirectly as sponsors of terrorism. It also firmly rejected the unilateral establishment of lists of States accused of supporting terrorism, a practice that was inconsistent with international law and in itself constituted a form of psychological and political terrorism. States should also refuse to provide political, diplomatic, moral or material support for terrorism and should ensure that the perpetrators, organizers or facilitators of terrorist acts did not abuse refugee or any other legal status.

15. The Movement expressed grave concern over the acute and growing threat posed by foreign terrorist fighters and emphasized the need for States to address the issue, including through the fulfilment of their international obligations. In that connection, it called upon the United Nations to facilitate capacity-building in accordance with existing mandates to assist States, upon request, in addressing the problem. The Movement was also deeply concerned at terrorist groups' misrepresentation of religion to justify terrorism and violent extremism. It was therefore imperative to

counter terrorist narratives through a comprehensive and international framework and to address terrorism in an effective and comprehensive manner, including by engaging with community leaders and clerics of all denominations.

16. The Movement called upon all States to respect human rights and fundamental freedoms while countering terrorism, in accordance with the rule of law and their obligations under international law. It called upon the Security Council sanctions committees to further streamline their listing and delisting procedures by making the position of the Ombudsperson independent, transparent and permanent.

17. The Movement reiterated its call for the convening of an international summit conference under the auspices of the United Nations to formulate a joint organized response to terrorism and to identify its root causes. It once again noted the importance of concluding a draft comprehensive convention on international terrorism and called upon States to cooperate in resolving the outstanding issues. The Movement reaffirmed its support for the United Nations Global Counter-Terrorism Strategy and the primary responsibility of States for its implementation, including through cooperation with the United Nations Office of Counter-Terrorism and the United Nations Counter-Terrorism Centre. The Office of Counter-Terrorism should help to bring greater coherence and effectiveness to United Nations counter-terrorism activities, in particular by addressing, upon request, the capacity-building needs of States through assistance tailored to the specific realities of the States concerned, taking into account the centrality of national ownership.

18. Lastly, the Movement welcomed the Secretary-General's initiative to convene the second United Nations High-level Conference of Heads of Counter-Terrorism Agencies of Member States in June 2020 as well as the organization of the first-ever Global Congress of Victims of Terrorism, in conjunction with the seventh biennial review of the Global Counter-Terrorism Strategy, following consultation with Member States.

19. **Mr. Kapambwe** (Zambia), speaking on behalf of the Group of African States, said that domestic and international terrorism and violent extremism, whether perpetrated by lone wolves or cell groups inspired by or associated with designated foreign terrorist organizations, remained among the greatest threats to global peace and security. No creed or confession, no ideology or plausible argument could ever justify even the most marginal form or expression of terrorism. The phenomenon could not and should not, therefore, be

associated with any religion, nationality, civilization, culture, race or ethnic group.

20. Having experienced their fair share of terrorist attacks, African States strongly, explicitly and consistently condemned terrorism in all its forms and manifestations, including State-sponsored terrorism. Terrorism was a brazen attack against humanity and a clear violation not only of international law but also of international humanitarian and human rights law. All States therefore had an obligation to promote the domestication of all relevant international legal instruments, the exchange of accurate terrorism-related data, as and where appropriate, and the adoption of effective counter-terrorism measures.

21. The Group of African States urged all countries that were directly or inadvertently financing, encouraging or providing training for or otherwise supporting terrorist activities to immediately stop doing so and to join the clarion call to end terrorism in all its forms and manifestations. The Group recognized the global efforts being made to combat classical terrorism, cyberterrorism and related crimes, but wished to reiterate the non-derogable obligation to respect the sovereignty, territorial integrity and political independence of all States, in accordance with the Charter of the United Nations. The Group was deeply concerned that international terrorism continued to evolve thanks to social media platforms that facilitated radicalization and recruitment by terrorist groups. There was therefore an urgent need to finalize the draft comprehensive convention on international terrorism, to enable the international community to formulate an effective response to terrorism. Africa was fully committed to supporting all efforts aimed at convening a high-level conference under the auspices of the United Nations to that end.

22. While African States supported the full implementation of the United Nations Global Counter-Terrorism Strategy, they were well aware that such implementation would only be achievable if the Security Council fulfilled its mandate of ensuring global peace and security, including by assuming its responsibility to allocate adequate resources to the fight against terrorism in Africa. The Group acknowledged, however, that the security response was only one strand in a wider tapestry of efforts to fight and defeat terrorism, and that several political, sociocultural and economic factors allowed terrorism to flourish, including youth unemployment, a real or perceived sense of exclusion or marginalization among citizens, and depletion of critical resources owing to climate change.

23. The African Union was working closely with the United Nations and regional mechanisms to implement a framework agreement covering both peace and security and development, as part of a holistic response to terrorism. The African Centre for Studies and Research on Terrorism was playing a critical role in that process through its research, analyses and studies on terrorism and terrorist groups in Africa. The Group of African States urged States to thwart any attempts by groups or individuals to access financing for terrorism purposes, including by resisting ransom demands from terrorist groups. They called upon States to collaborate in the development and implementation of effective counter-narrative strategies and welcomed inter-State cooperation and other regional and international efforts to freeze terrorist assets as an effective way to combat the financing of terrorism.

24. The strategic use of both hard power and soft power was key to winning the fight against terrorism and violent extremism. That was the rationale behind the establishment of the Intergovernmental Authority on Development Centre of Excellence for Preventing and Countering Violent Extremism. The Centre sought to build and develop soft-power capacities through the empowerment of young people, women, religious leaders and civil society by enhancing their resilience and capacity to counter violent extremist ideologies; it sought to amplify influential religious voices and to sharpen critical thinking skills; prevent radicalization to violence in prisons; and foster the rehabilitation and reintegration of disengaged fighters, including foreign terrorist fighters.

25. Lastly, African States always endeavoured to fulfil their international obligations while combating terrorism and implementing related United Nations resolutions. However, their capacity was often inhibited by a lack of resources. They therefore appealed to the international community to provide the necessary assistance to enable them to fulfil their obligations and commitments. Only with a solid foundation could Africa implement counter-terrorism conventions and related United Nations resolutions more effectively.

26. **Mr. Ababtain** (Saudi Arabia), speaking on behalf of the Organization of Islamic Cooperation (OIC), said that the members of the Organization condemned terrorism in all its forms and manifestations, regardless of the motivations and by whomever and wherever committed. Terrorism was a flagrant violation of international law, including international humanitarian law and human rights law, in particular the right to life. Terrorist acts endangered the territorial integrity and stability of States as well as national, regional and international security. OIC reiterated its respect for the

sovereignty, territorial integrity and political independence of all States and reaffirmed that terrorism should not be associated with any religion, race, faith or society. It strongly condemned all attempts to link Islam with terrorism, as such attempts played into the hands of terrorists and promoted religious hatred, discrimination and hostility against Muslims. It reiterated the importance of promoting dialogue, understanding and cooperation among religions, cultures and civilizations for peace and harmony in the world, and welcomed all international and regional initiatives and efforts to that end.

27. OIC reaffirmed its commitment to strengthening international cooperation in the fight against terrorism. It was essential to adopt a comprehensive approach by addressing the root causes of terrorism, including the unlawful use of force, aggression, foreign occupation, festering international disputes, and political marginalization and alienation. It was also necessary to combat all terrorist groups and organizations, wherever they existed, without any distinction. OIC reiterated the need to distinguish between terrorism and the exercise of the legitimate right of peoples to self-determination and to resist foreign occupation, a distinction duly reflected in international law, international humanitarian law, Article 51 of the Charter of the United Nations and General Assembly resolution [46/51](#).

28. OIC reaffirmed its commitment to the negotiation of a draft comprehensive convention on international terrorism and underscored the need to make progress in that regard. It reiterated its previous proposal on the scope of the draft convention and its determination to make every effort to reach a consensus agreement by resolving the outstanding issues, including those related to the legal definition of terrorism, in particular the distinction between terrorism and the struggle for the right to self-determination of peoples under foreign occupation or colonial or alien domination, and the scope of the acts to be covered by the instrument. OIC strongly condemned hostage-taking and demands for ransom and political concessions by terrorist groups. Member States should enhance their cooperation and coordination with the aim of prosecuting the perpetrators of terrorist acts; preventing the provision of funds, safe havens, assistance or weapons to terrorist groups and organizations; and refuting the narratives and ideologies of terrorist groups and organizations.

29. The United Nations Global Counter-Terrorism Strategy was a living document that should be updated and re-examined regularly and implemented in a balanced manner. It was important to enhance capacity-building to assist Member States in fulfilling their obligations under United Nations resolutions by

increasing the resources for United Nations entities and departments entrusted with that task and by enhancing bilateral technical assistance and technology transfer. OIC once again called for the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations and to arrive at an agreed definition of terrorism.

*The meeting rose at 1.15 p.m.*