



# Security Council

Fifty-seventh year

*Provisional*

**4512**<sup>th</sup> meeting

Monday, 15 April 2002, 3 p.m.

New York

---

*President:* Mr. Lavrov ..... (Russian Federation)

*Members:*

Bulgaria .....	Mr. Tafrov
Cameroon .....	Mr. Belinga-Eboutou
China .....	Mr. Wang Yingfan
Colombia .....	Mr. Valdivieso
France .....	Mr. Levitte
Guinea .....	Mr. Fall
Ireland .....	Mr. Corr
Mauritius .....	Mr. Gokool
Mexico .....	Mr. Aguilar Zinser
Norway .....	Mr. Kolby
Singapore .....	Mr. Mahbubani
Syrian Arab Republic .....	Mr. Wehbe
United Kingdom of Great Britain and Northern Ireland .....	Mr. Harrison
United States of America .....	Mr. Cunningham

## Agenda

Threats to international peace and security caused by terrorist acts.

---

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

*The meeting resumed at 3.10 p.m.*

**The President** (*spoke in Russian*): The next speaker inscribed on my list is the representative of Costa Rica. I invite him to take a seat at the Council table and to make his statement.

**Mr. Niehaus** (Costa Rica) (*spoke in Spanish*): I am deeply honoured to speak to the Security Council on behalf of the 19 States members of the Rio Group, in my capacity as the representative of Costa Rica, the *Pro Tempore* Secretariat.

Last Friday, 12 April, the Presidents of the States members of the Rio Group, meeting in San José, Costa Rica, agreed on a declaration of principles in which they reiterated their firm condemnation of terrorism. The Presidents declared:

“We forcefully condemn and reject terrorism in all its forms and manifestations, and we support all regional and international measures of cooperation and coordination to suppress it, within the framework of strict compliance with human rights and international humanitarian law and other principles and norms of international law, and in conformity with the resolutions and instruments of the United Nations and the inter-American system, as well as with other relevant initiatives on this subject, in particular through the creation of mechanisms for the exchange of information and judicial cooperation to facilitate the prevention and suppression of acts of terrorism. The fight against terrorism should also be based on the promotion of a culture of peace, tolerance and solidarity. We agree to promote the adoption of the Inter-American Convention against terrorism during the thirty-second session of the General Assembly of the Organization of American States, which will be held in Barbados.”

I have requested that declaration to be circulated as an official document of the Security Council.

As Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights, has stressed, terrorism is a threat to the most fundamental human rights, the right to life. The formulation of a common approach to counter-terrorism serves human rights. With that spirit, the Rio Group fully supports the content of resolution 1373 (2001) adopted on

28 September 2001, as well as the work of the Counter-Terrorism Committee.

The fight against the scourge of terrorism requires true universal cooperation with the view to upholding the basic principles of peaceful coexistence among all peoples and nations as well as guaranteeing peace, security and development for all humanity. In that context, the Counter-Terrorism Committee plays a key role in the coordination of universal action against this crime.

The Rio Group welcomes the excellent work of the Committee in its analysis of national reports submitted in conformity with resolution 1373 (2001). It acknowledges the leadership of its Chairman, Ambassador Sir Jeremy Greenstock, and of its Vice-Chairmen. In particular, we are grateful for the opportunity for constructive dialogue between the Security Council and Member States that has been provided by the submission of national reports. We further note the Committee's intention to finalize the consideration of the first reports by 31 May, an enormous task considering the complexity and breadth of the 143 documents that have been submitted.

The struggle against terrorism calls for the creation of institutional and police procedures that will effectively protect the population. We believe that special attention should be given to the dangerous relationship among drug trafficking networks, terrorist groups, illicit traffic in weapons and money-laundering. We must proscribe the transfer of weapons to all rebel and extremist groups as well as to the Governments that support them. Similarly, it is indispensable to increase technology transfer bilateral cooperation in the area of police and judicial training, and financial assistance to all States that require them to prevent and suppress terrorism.

In that context, constant dialogue and communication among the Counter-Terrorism Committee, Member States and regional and subregional organizations creates an ideal framework to coordinate and invigorate intergovernmental and inter-institutional cooperation and assistance to prevent terrorism and to strengthen national justice systems. In this regard, we are grateful for the Committee's establishment of a list of possible sources of expert advice and assistance.

For its part, the Rio Group has held a series of consultations in compliance with resolution 1373

(2001) with a view to preventing and suppressing terrorist acts and to effectively implementing the Security Council's decisions on this matter. In that regard, I would like to highlight the document prepared by legal experts of the Rio Group on the implementation of resolution 1373 (2001), which was been circulated as an annex to document S/2002/107.

As the United Nations High Commissioner for Human Rights has aptly said, combating terrorism requires that we tackle the sources of insecurity at their root. The Rio Group is aware that extremism is fuelled by political oppression, extreme poverty, hunger, destitution, disease and the violation of fundamental human rights. We know that respect for human rights and democracy in all fields is the best protection against terrorism. The fight against terrorism must be a reason to reaffirm basic rights. True and sustainable peace is born of mutual respect, dialogue and the rejection of violence.

For that reason, we believe that a comprehensive strategy to ensure the respect for human dignity, in all spheres, is required. We are convinced that fighting this crime must lead us to build more open and tolerant societies, where a true culture of peace, tolerance and solidarity reigns. We are confident that the work of the Security Council and its Counter-Terrorism Committee will enable us to make progress towards that goal.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Australia. I invite him to take a seat at the Council table and to make his statement.

**Mr. Stuart** (Australia): Thank you, Mr. President, for convening this timely and important meeting on an issue of deep interest and continuing concern to Member States. We would like to use the opportunity today to summarize for the Council Australia's own efforts to strengthen our counter-terrorism capacity and in particular our efforts to enhance our cooperation with other countries, especially in our own region.

Before doing so, I wish to join many others today in acknowledging and expressing our appreciation for the sustained effort by the members of the Security Council and the Secretariat staff working with them to establish the Council's Counter-Terrorism Committee (CTC). Sir Jeremy Greenstock deserves the many accolades he has received for this, but we are also keenly aware that many other colleagues have worked hard and well to develop the important role that the

CTC is now playing in strengthening international efforts against terrorism.

The 11 September terrorist attacks on the United States demonstrated in stark, tragic terms the current weaknesses in the international counter-terrorism regime. They revealed that the existing counter-terrorism instruments, for example, while enjoying wide adherence, did not provide sufficient accountability or verification of their implementation. Other weaknesses included insufficient information exchange and the lack of assistance for capacity-building. It is heartening to hear, for example in today's debate, many countries addressing these issues.

Security Council resolution 1373 (2001) has provided a comprehensive framework for international action against terrorism. It is a blueprint for addressing these weaknesses, particularly in relation to suppressing the financing of terrorism. A key aspect of resolution 1373 (2001) is its requirement that all Member States report on the national and regional implementation of counter-terrorism efforts. Australia joins others today in encouraging all Member States to implement fully these and the other provisions of resolution 1373 (2001).

Even before 11 September, Australia had in place substantial measures to combat terrorism. As host to the 2000 Olympics, we had recent experience in addressing the terrorist threat. Since December 2001, when we submitted Australia's first report to the Counter-Terrorism Committee, the Government of Australia has introduced to Parliament comprehensive new laws specifically directed to strengthen the capacity of law enforcement to prevent, detect, investigate and prosecute terrorist acts; strengthen measures to detect, freeze and seize terrorist assets and eliminate terrorist financing; and enable Australia to become a party to the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombings. These efforts reflect Australia's firm resolve to further strengthen its domestic counter-terrorism laws and practices.

But we realize that, as is outlined in resolution 1373 (2001), counter-terrorism activity cannot be limited to efforts at the national level. Bilateral, regional and international cooperation is essential to effectively combat terrorism in all its forms and in all its locations. At the bilateral level, Australia is pleased

to report that on 7 February 2002 we signed a memorandum of understanding with Indonesia on combating international terrorism.

The memorandum provides a framework for bilateral cooperation to prevent, suppress and combat international terrorism through the exchange and flow of information and intelligence. It also provides for cooperation between law-enforcement agencies and the strengthening of capacity-building through networking, training and education programmes, visits and joint operations. We are currently considering a number of initiatives to implement this memorandum.

In our own region, Australia is actively contributing to promoting cooperation against terrorism. From 25 to 27 March, together with the United States, New Zealand and the Pacific Islands Forum secretariat, Australia co-hosted a Pacific Islands counter-terrorism workshop, which was held in Honolulu. The workshop successfully raised awareness among Pacific Island countries of the nature and threat posed by international terrorism and of the measures needed to combat it. It produced a report that will serve as a guide to Pacific Island countries in giving effect to resolution 1373 (2001) and in implementing the counter-terrorism conventions. The workshop emphasized the importance of preventing terrorist financing, strengthening border controls, and developing and implementing appropriate domestic counter-terrorism legislative regimes, with a focus on the particular regional environment for Pacific Island countries.

Australia also participated in an Association of South-East Asian Nations (ASEAN) Regional Forum workshop on financial measures against terrorism, which was also held in Honolulu, from 24 to 26 March. That workshop emphasized the need to coordinate international measures to suppress the financing of terrorism, as well as the role the ASEAN Regional Forum and other regional groups can play in developing mechanisms for information-sharing. In short, Australia sees both the Pacific Islands Forum and the ASEAN Regional Forum as regional bodies with a significant contribution to make to counter-terrorism.

Although we have been active at the national and regional levels, we recognize that further steps and a long-term committed effort are required. Later this week, from 17 to 19 April in Bangkok, Australia will

co-host with Thailand a workshop of the ASEAN Regional Forum on the prevention of terrorism. The Bangkok workshop will enable Forum participants to obtain a greater understanding of practical measures to prevent terrorist activity, with a focus on border control, security measures for international events, measures to detect explosive materials, and aviation security. More generally, the workshop will examine means of preventing terrorism and enhancing security through improved information flow and intelligence exchange. It will be the second in what is developing into a series of ASEAN Regional Forum workshops focused on achieving concrete and practical outcomes to improve security and regional cooperation in counter-terrorism.

Australia strongly supports the work done in the United Nations to ensure that there is a broad international front against terrorism. As stressed by the Prime Minister of Australia, the Honourable John Howard, when he addressed the Council on 30 January this year, in implementing the important resolutions recently agreed in New York, Australia is looking to the Council for an emphasis on action rather than on rhetoric.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

**Mr. Cengizer** (Turkey): Mr. President, at the outset, I would like to thank you for convening this open meeting on one of the most important issues of our time. Your initiative gives Member States the opportunity to put forward their views on ways of combating international terrorism as well as to address the work of the Counter-Terrorism Committee.

I would like also to thank whole-heartedly Sir Jeremy Greenstock, Chairman of the Counter-Terrorism Committee, for his cogent briefing and for the remarkable work that he and his colleagues are doing.

We know without a doubt that terrorism poses a very great danger to civilization as we know it, threatens the fundamental rights of the individual and endangers the fabric of societies everywhere and at all times. It represents a violation of human rights, in whatever form it occurs. As such, it is a potent means of oppression.

Turkey has given unequivocal support to efforts aimed at combating in earnest this modern scourge. We have been trying for some time now to impress on the international community the need to defend a bipartisan position on this issue. Last year's tragic events should have put to rest any doubts about the true nature of terrorism. There can be no degree of support and no leniency with respect to a phenomenon that has absolute and irredeemable consequences.

Let me say it loud and clear: there is no such thing as "better terrorists". There are no worthy causes pursued by terrorists. Their very choice of that method nullifies the end they desire.

Furthermore, in this increasingly global world, it is more and more common to see terrorist groups forming complex relationships and interrelated structures among themselves. After all, from their perspective, this is an easy and achievable thing to do.

However, it is worrying and deeply disturbing that some segments of the international community are still shying away from achieving a similarly feasible cluster of means in combating terrorism. Definitional problems might conceal important philosophical differences, but the results of terrorism will be the same for everyone.

It is high time that we choose the only viable option before us: intensify international cooperation against terrorism, and stop looking for worthy terrorist causes, as there are none. It is on this understanding that we are actively involved in the work of United Nations bodies.

We regard Security Council resolution 1373 (2001) as an effective instrument and fully support its implementation. Our appreciation goes to the Counter-Terrorism Committee for its work. We look forward to working closely with the Committee and are cooperating with other States in our region and beyond, as well as within the fold of relevant international organizations. As testimony of our degree of commitment to deal forcefully with this scourge, we have signed nearly 50 bilateral agreements concerning cooperation in combating terrorism.

Turkey is party to 10 of the existing 12 United Nations conventions. The process of ratification of the remaining two is under way. We support the early completion of the ongoing discussions on a comprehensive convention against international

terrorism and on an international convention on the suppression of nuclear terrorism.

In this context, we attach particular importance to the denial of safe haven to terrorists and to their extradition. It would be neither prudent nor just to allow terrorists not to face a blanket regime or to enable them to benefit from impunity with respect to the offences they have committed.

Turkey, as an associate country of the European Union and one that normally aligns itself with the European Union's declared positions on a wide spectrum of issues, regrets today that it cannot do the same with respect to this vastly important issue.

We agree with the essence and the general thrust of the statement made on behalf of the European Union. However, we cannot sustain a credible fight against terrorism if we address the problem only partially and are selective with regard to terrorist groups and organizations. We believe that the list of individuals, entities and organizations annexed to the common position of 27 December 2001, to which the European Union statement referred, is incomplete in its present form and is deficient. We hope that known terrorist organizations will be included in that list. We are waiting to see a more resolute stance on the part of the European Union that befits the philosophy contained in its statement.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Cambodia. I invite him to take a seat at the Council table and to make his statement.

**Mr. Ouch Borith** (Cambodia): I have the honour to speak on behalf of the members of the Association of South-East Asian Nations (ASEAN) — namely, Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam — on this matter which is of great importance to all of us.

Seven months after resolution 1373 (2001) was adopted, ASEAN notes the hard work of the Counter-Terrorism Committee (CTC) under the stewardship of Sir Jeremy Greenstock. At this juncture, ASEAN wishes to acknowledge Chairman Greenstock's leadership, his commitment to an active and transparent dialogue between the CTC and Member States, and his determination to pursue what the Committee has set out to accomplish. ASEAN

welcomes the establishment of a directory of technical assistance. ASEAN also encourages the Committee, through Chairman Greenstock, to continue networking efforts with various regional and international organizations, which we consider relevant and useful.

I am pleased to inform the Council that since our last meeting ASEAN has further stepped up its commitment to combat terrorism. At the political level, I am happy to say that our foreign ministers discussed this crucial issue at great length during their retreat in Phuket, Thailand on 21 February 2002. They took that opportunity to update each other on their countries' counter-terrorism efforts, and they stressed the importance of closer cooperation and joint efforts among ASEAN member countries, especially in intelligence and information sharing.

At the same time, ASEAN has also undertaken practical measures. Our law enforcement agencies have deepened their cooperation through sharing information and best practices. We also recognize the importance of developing regional capacity-building programmes to enhance members' capabilities in countering terrorism. ASEAN has also increased its role and involvement with the international community within existing frameworks such as "ASEAN + 3", the ASEAN dialogue partners and the ASEAN Regional Forum.

ASEAN is mindful of the importance of enhancing the relevant channels of cooperation — such as through bilateral and multilateral arrangements — within and outside ASEAN. Furthermore, we continue to learn from other regional and international organizations in the efforts to combat terrorism in accordance with the Charter of the United Nations and other international laws.

The successful conclusion of the ASEAN ad hoc experts group meeting held in Bali, Indonesia, from 21 to 23 January 2002 on the work programme to implement the ASEAN plan of action to combat transnational crime is another crucial step forward. The meeting involved eight task forces, which dealt with combating terrorism, trafficking in persons, arms smuggling, sea piracy, money laundering, illicit drug trafficking, international economic crime and cyber crime, respectively.

Furthermore, ASEAN member countries also participated in the regional ministerial conference on people smuggling, trafficking in persons and related

transnational crime held in Bali from 26 to 28 February 2002. There the ministers expressed deep concern about the possible links between terrorist elements and people smuggling and trafficking operations and stated that these activities were now rivalling narcotics in profitability.

Another important mechanism for us is the ASEAN Regional Forum — ARF. Under this forum, the ARF members recently participated in a workshop on financial measures against terrorism in Honolulu from 24 to 26 March. I would like to take this opportunity to sincerely thank the Governments of the United States and Malaysia for this initiative. The outcome of the workshop was very productive. At the workshop, ARF members had an opportunity to discuss such vital issues as terrorist financial activities and an international framework for combating them, the roles of regional and international multilateral organizations, and national implementation of the international framework of financial measures against terrorism. Another ARF workshop on the prevention of terrorism, which is being organized by the Thai and Australian Governments, is scheduled to be held in Bangkok from 17 to 19 April. In order to build further on the outcomes of the workshops, their results will be reported to ARF members when they meet again, in Hanoi, from 22 to 24 April for the ARF inter-sessional support group meeting.

In addition, a special ASEAN ministerial meeting on transnational crime will be held on 21 May in Kuala Lumpur. This signifies the firm commitment of ASEAN members to implement the ASEAN Declaration on Joint Action to Counter Terrorism. The meeting will also represent a significant step by ASEAN to heed the call of the CTC to enhance coordination of national, subregional and international efforts to strengthen a global response to this serious challenge and threat to international security.

I am gratified to say that ASEAN member countries, though faced by myriad constraints and challenges resulting from the recent and devastating regional and global economic downturn, have done their best to implement Security Council resolution 1373 (2001). The most evident step in that direction, is, among other things, that all ASEAN members have submitted their reports in compliance with paragraph 6 of the resolution. We hope that those who have not done so will be encouraged to follow suit without further delay.

Finally, Mr. President, let me assure you of ASEAN's continued cooperation to counter, prevent and suppress all terrorist acts in accordance with the Charter of the United Nations, taking into account resolution 1373 (2001) and all relevant United Nations resolutions.

**The President** (*spoke in Russian*): The next speaker inscribed on my list is the representative of Peru. I invite him to take a seat at the Council table and to make his statement.

**Mr. Balarezo** (Peru) (*spoke in Spanish*): First of all, Peru of course associates itself with the statement made by the Ambassador of Costa Rica on behalf of the member countries of the Rio Group.

I would like to begin my statement by conveying Peru's satisfaction with the progress made to date by the Counter-Terrorism Committee (CTC). We believe that that progress is the direct result of the resolute leadership of Ambassador Sir Jeremy Greenstock and of his Vice-Chairmen. It is also due to the firm commitment of Member States like Peru that want to end this scourge.

Not long ago, during the holding of the Monterrey Summit — during which we sought new forms of cooperation to give momentum to development and to eradicate poverty — and just hours shy of the official visit of the President of the United States to my country, we in Peru were the victims of a serious terrorist attack that left behind the dark and ghostly shadow of destruction and suffering. That attack, like any other terrorist act that negates, in the most basic sense, the right to life, security, tranquil coexistence and peace, had no other effect than to reaffirm Peru's deepest conviction that it must combat terrorism using the weapons of international law, the rule of law and the supreme value of proper moral conduct.

The Counter-Terrorism Committee has taken decisive steps to confront the sources and means that enable this scourge of humanity to emerge, develop and operate. Progress has been made in preventing and repressing the funding of all types of international terrorism and collaboration with it. We must continue to make every effort until money laundering, drug trafficking and other transnational crimes no longer serve as the source of, or support for, terrorist acts. This should be our goal and we should not rest until it is accomplished.

But a frontal attack against terrorism requires much more from the international community. This struggle requires deepening and widening the scope of technical and financial cooperation to many other areas, so that all countries of the Organization can truly control, suppress and defend themselves against terrorism. It also requires that we prevent the emergence of "hyper-terrorism" capable of mass destruction, the consequences of which are unimaginable.

To that end, and in accordance with Security Council resolution 1377 (2001), Peru believes that the CTC, with the cooperation of other relevant entities and additional funding, could develop or promote an extensive cooperation programme with countries that so request. In our view, such international cooperation might include, *inter alia*, the following programmes.

First, a programme for legal assistance to ensure that domestic laws are compatible with the 12 United Nations conventions concerning terrorism, as well as, of course, to ensure their effective implementation. For Peru, an appropriate juridical framework should also consider the obligations of States to prosecute, extradite, try and punish those engaged in terrorist acts.

Secondly, a programme of "smart" borders that allows the strengthening of coordination and action in real time among agencies that control and police the cross-border movement of persons, goods and services. The use of new technologies and the experience of various countries in this sphere will be fundamental.

Thirdly, the fight against terrorism could become an obstacle to trade and the free circulation of goods and services, not only by increasing costs but also by eroding the narrow profit margins of many poor economies. Certainly, this is an area that must be analysed in detail, and we must find the best ways to diminish such effects. We must avoid creating barriers to the normal transit of persons, goods and services, because that would run counter to the globalization process, which should unite peoples, not separate them.

Finally, for Peru, victory over terrorism can be achieved only when democratic values, the rule of law and respect for human dignity prevail. For that reason, it is very important to develop a programme that will strengthen awareness of human rights and their legal foundation and will ensure that the fight against terrorism is carried out with respect for the civil rights and political freedoms of all persons, including

immigrants, as recognized in the various international instruments approved by all the members of the United Nations community.

In conclusion, we are convinced that strengthening the Committee's work from the subregional and regional perspective is most welcome, and I believe it is a course of action that we should pursue.

**The President** (*spoke in Russian*): I should like to inform the Council that I have received letters from the representatives of Israel and Malaysia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Jacob (Israel) and Mr. Zainuddin (Malaysia) took the seats reserved for them at the side of the Council Chamber.*

**The President** (*spoke in Russian*): The next speaker inscribed on my list is the representative of Pakistan. I invite him to take a seat at the Council table and to make his statement.

**Mr. Ahmed** (Pakistan): At the outset, I should like to congratulate you, Sir, on the substantive nature and frequency of the Council's meetings under your presidency this month.

Once again, we return to this Chamber to discuss the subject of terrorism and the response of the world community to counter it. The steps taken by the Security Council to combat this serious threat to international peace and security, which include the adoption of various resolutions, including resolutions 1368 (2001), 1373 (2001), 1377 (2001) and 1390 (2002), as well as the establishment of the Counter-Terrorism Committee (CTC), are unprecedented in their approach and global in their scope. While these measures are indeed necessary and must be implemented, there is also a need to look beyond such immediate steps. I think we all agree on these imperatives, and I should like to commend the diligent

stewardship of Sir Jeremy Greenstock as he steers the work of the Committee.

Terrorism is the curse of our time. It haunts all societies and all regions. It stalks us all. As we seek to grapple with this challenge, our approach should not be cosmetic or guided by emotion or anger. Surely the perpetrators of terrorism must be brought to justice. But our battle must not be confined to retaliation and retribution. We must unearth the source of the problem and diagnose the disease beneath the skin. Mere bandages will not heal wounds caused by the injustices of systems and societies. We must try to understand and grapple with the causes that force human beings to kill human beings. Why is humanity under assault, after all? Why is humanity becoming devoid of humanity?

No matter what actions we might take against terrorism, this faceless enemy, which lurks in the shadows of fear and frustration, breeds on hatred and disillusionment and is fed by ignorance, poverty and injustice, will not disappear unless we seriously address what lies behind it. Terrorism will continue to haunt us until we treat its roots, which lie in the inequality of societies, the exploitation of the downtrodden, the denial of fundamental rights and the sense of injustice. It would be simplistic merely to focus on the symptoms or their ugly manifestations.

Terrorism, the anathema of this new century, has to be eliminated, root and branch, in all its forms and manifestations. And indeed, terrorism has many forms and manifestations, which should also be included within the ambit of Security Council resolutions and within the purview of the Counter-Terrorism Committee. Those who employ the State apparatus to trample upon the fundamental and inalienable rights of people are also perpetrators of terrorism. If, as according to some, terrorism is defined by the act and not by the description of the perpetrators, then alien occupiers and usurpers — especially those who employ ruthless measures against people under occupation — also fit that definition.

Pakistan rejects and condemns terrorism in all its forms and manifestations. We have never condoned acts of terrorism, and we have been cooperating with the international community in combating this universal evil. We in Pakistan will continue to abide by our obligations under the Charter of the United Nations and under the resolutions of the Security Council.

President Musharraf has clearly stated our policy on this matter. In spite of the challenges that Pakistan faces, we are determined to do what is right and what is just.

These are unusual times demanding exceptional responses. In effectively confronting the universal evil of terrorism, we cannot be oblivious to the need to address the source and the roots of the problem. It is time for courageous decisions, for correcting historical wrongs and for redressing endemic injustices. Our universal obligation to fight terrorism must not deflect us from the need for a just, lasting and honourable settlement of the Kashmir and Palestine issues. It is time for the Security Council to restore its credibility and legitimacy and to work as a true instrument of peace and security, as mandated by the Charter.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Malawi. I invite him to take a seat at the Council table and to make his statement.

**Mr. Lamba** (Malawi): The Malawi delegation, as Chair of the permanent delegations of the Southern Africa Development Community (SADC) to the United Nations, would like to associate itself with the earlier speakers who underlined without reservation the importance of this debate on counter-terrorism measures and, indeed, the excellent briefing this morning by the Chairman of the Counter-Terrorism Committee.

Security Council resolution 1373 (2001) of 28 September 2001 emphasizes the urgent need for cooperation and unity among Member States in the fight against terrorism in order to avert a repetition of the tragedy of 11 September 2001, which took place in New York. Malawi and other SADC States, in strong support of Security Council resolution 1373 (2001) — which indeed represents a solid basis for concerted international partnership in the anti-terrorism struggle — readily welcomed the creation by the Security Council of the Counter-Terrorism Committee to coordinate steps taken by Member States in checking terrorism. To that end, as will be shown later, Malawi has put in place several measures to seal up the loopholes of potential use by terrorists.

Representatives may wish to know that, following the plenary session of the General Assembly in December 2001, and in response to General Assembly resolution 55/158 and Security Council resolutions

1269 (1999) and 1373 (2001), defining terrorism as a threat to international peace and security, SADC States demonstrated their concern by drawing up a document, the Luanda Declaration of 18 December 2001.

SADC maintains the conviction that terrorism represents the antithesis of socio-economic development and an unacceptable disturbance to people's fundamental rights and freedoms, which deserve protection at any cost. We all agree that the prerequisite for development is a climate of political, social and economic stability and security. The triumph of terrorism must therefore be curtailed in defence of people's right to life and individual liberties, as defined in international legal instruments. SADC States are resolved to contribute to the cooperation between the United Nations and regional and subregional organizations against terrorism in its various manifestations.

To that end, and in line with the Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, which was adopted at the Algiers summit of 14 July 1999 — which SADC had seen as leading in its thinking about anti-terrorism — SADC decided to come up with this Luanda Declaration as its guiding principle in combating terrorism. In the Declaration, SADC affirms that it will do everything possible to ratify and incorporate into national laws all anti-terrorism instruments adopted by the OAU and the United Nations; combat all forms of terrorism that disrupt national and regional security, constitutional arrangements and the organization of States; exchange information related to persons, institutions and organizations that are engaged in the perpetration of terrorism; harmonize legal instruments in the various States for the prosecution of terrorist groups; and prevent any attempts to use SADC member States as bases or support centres for the activities of terrorist groups or organizations.

Malawi's response to the anti-terrorism crusade includes the following: the establishment of domestic anti-terrorism contact points under the chairmanship of the office of the President and Cabinet; the adoption of legislation against any terrorist activity, the review of existing laws for enforcement and the strengthening of membership in international conventions and protocols; the intensification of scrutiny by immigration services of all people entering the country; the strengthening of aviation security at airports; the control of financial flows to detect any irregular funds and funding from

external sources; the tightening of security by the Malawi army, police and national intelligence bureau; and vigorous cooperation with other Member States in support of resolution 1373 (2001).

The outlined anti-terrorism agenda of Malawi forms a common preoccupation of all SADC member States. However, I would be remiss in my presentation if I failed to mention some of our limitations in the presentation of our counter-terrorism measures.

Malawi and most, if not all, other SADC States, with their weak economies and therefore limited resources, will clearly require assistance from the international community. Malawi and all SADC States appreciate and will utilize the invitation to submit, through the Counter-Terrorism Committee, our requirements for the facilitation of our effective participation in the anti-terrorism struggle. Areas of need generally include technical assistance, capacity-building and human resource training, and an upgrade of technology and equipment to enhance efficiency. These presented needs will indeed require professional technical assessments to establish their importance in the counter-terrorism war.

In conclusion, allow me to reiterate the determination and commitment among member States of the Southern Africa Development Community to supporting the work of the Counter-Terrorism Committee in implementing the Security Council's resolution against terrorism. SADC will move in unison with the rest of the world, determined to make a notable contribution to rooting out and deterring terrorism, the violence so destructive to global peace and security.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

**Mr. Zainuddin** (Malaysia): Mr. President, my delegation wishes to join others in thanking you for convening this open meeting of the Council to brief Member States on the review of and progress in the implementation of resolution 1373 (2001), which is of concern to us.

My delegation associates itself with the statement made by Cambodia on behalf of the members of the Association of South-East Asian Nations. Moreover, my delegation wishes to draw the Council's attention to

the declaration of the Organization of the Islamic Conference (OIC) adopted recently at the special session of the Islamic Conference of Foreign Ministers, on terrorism, held in Kuala Lumpur, Malaysia from 1 to 3 April, 2002. That declaration will be formally communicated to you, Sir, as President of the Security Council, by Mali, the current Chairman of the OIC. However, as host of the meeting, Malaysia deems it appropriate to highlight some of the salient points of that declaration.

In the declaration, the Foreign Ministers stated their resolve to combat terrorism and to respond to developments affecting Muslims and Islamic countries in the aftermath of the 11 September attacks. They rejected any attempt to link Islam and Muslims to terrorism, as terrorism has no association with any religion, civilization or nationality. They reiterated that preventive action taken to combat terrorism should not result in ethnic or religious profiling or in the targeting of a particular community. They condemned acts of international terrorism in all its forms and manifestations, including State terrorism, irrespective of its motives, its perpetrators or its victims, as terrorism poses a serious threat to international peace and security and is a grave violation of human rights.

The ministers further reiterated the OIC's principled position, under international law and the Charter of the United Nations, on the legitimacy of resistance to foreign aggression and of the struggle of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination. In that context, they underlined the urgent need for an internationally agreed definition of terrorism that differentiates such legitimate struggles from acts of terrorism.

The Ministers also emphasized the importance of addressing the root causes of international terrorism, convinced that the war against terrorism will not succeed if the environment that breeds terrorism, including foreign occupation, injustice and exclusion, is allowed to thrive. They also reaffirmed the OIC's commitment to international action in combating international terrorism undertaken in conformity with the principles of the Charter of the United Nations, including the principles of non-intervention in internal affairs and respect for sovereignty and territorial integrity, as well as with international law and the relevant international conventions and instruments. In that regard, they further rejected any unilateral action

taken against any Islamic country on the pretext of combating international terrorism, as that would undermine global cooperation against terrorism. They reiterated the call to convene an international 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.

The special session of the Islamic Conference of Foreign Ministers, on terrorism, held in Kuala Lumpur also saw the reaffirmation of the commitment of OIC members to take action at the national level and through international cooperation in combating terrorism through a plan of action. This plan of action prescribed the establishment of a 13-member, open-ended, ministerial-level OIC committee on international terrorism with the mandate to formulate recommendations on the following matters: measures to strengthen OIC cooperation and coordination in combating international terrorism; ways of expediting the implementation of the OIC Code of Conduct and the Convention on Combating International Terrorism; measures to project the true image of Islam, including through seminars and workshops, to promote a better understanding of Islam and its principles; measures to strengthen dialogue and understanding among different civilizations, cultures and faiths, for instance, building on initiatives such as the United Nations dialogue among civilizations and the OIC-European-Union Joint Forum on civilization and harmony; and other measures in response to developments affecting Muslims and Islam arising from action to combat terrorism. The committee is mandated to study the work of other international organizations in matters related to international terrorism and to contribute to the work of the OIC group in New York in that regard.

The Foreign Ministers also stated that the OIC will continue to work with other countries and support the efforts of the international community in combating international terrorism undertaken under the auspices of the United Nations in a transparent and impartial manner and in conformity with the principles of the Charter of the United Nations, international law and relevant international conventions and instruments. That includes implementing relevant Security Council resolutions, particularly resolution 1373 (2001), as well as expediting Member States' accession to or ratification of international conventions and protocols relating to terrorism.

The ministers reaffirmed that the OIC will undertake efforts towards convening an international conference under the auspices of the United Nations to formulate a joint organized international-community response to terrorism. It will also make every effort at the international level to promote a collective security regime responding to the security and development needs of all countries and to promote a conducive political, socio-economic environment that will stifle support for terrorist activities and eliminate the causes of terrorist acts. The ministers agreed that, at the national level, OIC member States will continue to pursue policies and strategies aimed at enhancing the well-being and prosperity of our peoples, as well as at addressing and resolving domestic factors that contribute to terrorism.

**The President** (*spoke in Russian*): The next speaker on my list is the representative of Israel. I invite him to take a seat at the Council table and to make his statement.

**Mr. Jacob** (Israel): Israel is pleased to be participating in today's debate on terrorism and strongly supports the work of the Counter-Terrorism Committee (CTC). The Counter-Terrorism Committee has the potential to be an indispensable instrument for communicating the proper message to terrorists and their supporters and for coordinating our efforts to protect civilization from this deadly threat.

Israel believes that foremost among the CTC's priorities must be to ensure that States comply with the provisions established by the Security Council to combat terrorism. In so doing, the Committee must not shy away from its obligation to scrutinize carefully not only the reports that have been submitted but also the actions of States, and it must be willing and courageous enough to draw international attention to such actions. No State can be allowed to believe that it can continue to support terrorism with impunity.

I wish to express my congratulations to Ambassador Greenstock for his conscientious and capable leadership of the CTC. Israel believes that the work of the CTC is absolutely essential to the full implementation of resolution 1373 (2001), and we support the Committee's work. We further encourage the Secretariat to take steps to resolve the administrative issues that have constrained the CTC, whose smooth functioning is urgently needed.

Terrorism is an issue of particular relevance to my Government and to the people of Israel. Since the establishment of our State in 1948, Israel has been a frequent target of terrorism and continues to be one today. Last month, more than 130 Israeli civilians were murdered by terrorists. In the past two weeks, two public buses were attacked by suicide bombers, killing 14 Israelis.

It is as a result of such attacks that Israel has developed an extensive network of Government authorities, a body of domestic legislation, a range of practical policies and an intense commitment to combat terrorism in all its aspects. Our full range of counter-terrorism efforts was detailed in the report we submitted to the Counter-Terrorism Committee pursuant to Security Council resolution 1373 (2001), and I will not recall them here.

The landmark resolutions that were adopted by the Council following the horrific attacks of 11 September marked a major turning point in our efforts to eradicate the scourge of terrorism. The Council rightly understood that terrorists do not operate in a vacuum and that we will never be successful if we go after only the terrorists themselves. Rather, terrorists depend on the support, assistance and safe harbour granted by States, and it is the States that provide such assistance to terrorist organizations that must be targeted, no less than the terrorists themselves. We are hopeful that the CTC will be instrumental in ensuring that State support for individuals or organizations involved in terrorist activities is eliminated and that States comply with the directives of the Council, as detailed in resolution 1373 (2001).

Ending State support for terrorism does not only mean disrupting State financing; it also means ending the encouragement, incitement and moral and religious sanctions of those acts. Not only must terrorists be denied the tools they require to spread fear among civilians, but they must hear from their own societies that they will not permit acts of mass murder to be committed in their name. Religious leaders must not instruct their followers that murder and suicide are an expression of God's will. Political leaders must view the perpetration of terrorist attacks by their citizens as a cause for grief and introspection, not for celebration.

Resolution 1373 (2001), and resolution 1368 (2001), which preceded it, further recognized that terrorism constitutes a threat to international peace and

security and that States have an inherent right to individual and collective self-defence against it. Terrorists and their supporters must understand not only that there is nothing to be gained by attacking civilians, but that there is much to be lost as well. Terrorists cannot be allowed to operate with impunity, and they cannot be recipients of political concessions. While we must combat despair and poverty, we must make absolutely clear, in both our words and our deeds, that there is no grievance that justifies terror.

Israel understands the challenges facing certain States that have little experience in battling terrorism. In that respect, Israel stands ready to assist those States in developing a counter-terror capacity. Our experience with terrorism is long; we have developed many strategies and techniques and have many experts with a wealth of experience in this field. Israel is eager to share its know-how with others and to do its part to assist the international community in carrying out this important work.

Israel hopes that its own struggle against terrorism, although unfortunate, will be of value to other States and, at the same time, that it will be able to learn from the knowledge and expertise of others in our shared challenge of combating terrorism. We must remember that a terrorist threat anywhere is a threat to States everywhere.

We firmly believe that through the implementation of the relevant Security Council resolutions, by increasing and enhancing international cooperation and by using the tools at our disposal to target State sponsors of terror, we can protect ourselves and succeeding generations from the horrors of terrorism.

**The President** (*spoke in Russian*): I now give the floor to Sir Jeremy Greenstock to make some additional comments.

**Sir Jeremy Greenstock**: We have heard today about some very good examples of regional and other collective approaches to the implementation of resolution 1373 (2001), and I am very grateful to those Members of the United Nations who have spoken to that theme and shown their very clear general interest in making sure that resolution 1373 (2001) and the work of the Security Council and the Committee make a difference on the ground in the area of counter-terrorism.

There were no direct questions to me, but there are one or two individual points that I would like to pick up. In his statement this morning, the representative of Mauritius spoke about the Counter-Terrorism Committee (CTC) needing to make judgements about the implementation of resolution 1373 (2001), and I would like to pick up on a couple of points in that respect. Mr. Gokool asked three questions, I think. First, is the CTC exceeding the scope of the resolution itself in the way that it is approaching implementation? Secondly, will the answers received from Member States really help the CTC to judge whether a State is truly compliant? And thirdly, what action would be taken if a State were not compliant?

I think if we look at the text of resolution 1373 (2001), we will see that it is extremely broad. States are asked, basically, to do everything possible, in cooperation with others, to make sure that terrorist acts are not committed, to prevent and suppress terrorist acts, to take action against the perpetrators of such acts, to cover the whole area of the financing of terrorist acts in great detail and to refrain from providing any form of support, active or passive, direct or indirect. The resolution also expresses the Council's determination to take all necessary steps to ensure the full implementation of the resolution.

We in the Committee — and Mauritius is a prime exponent of this — have agreed that we will implement that mandate — nothing less and nothing more than that mandate. So I do not think that the Committee is in any way exceeding the very broad scope of resolution 1373 (2001) in the way that it is going about its business. But the answer to the particular question about whether, from the reports, the CTC will be able to judge whether a State is compliant is, I think, “Yes, up to a point; but other things are necessary”. And members of the Committee, like members of the Council, need also to be aware of their own individual and collective roles in making sure that all Member States — or each Member State, as we come to its case — is truly implementing the resolution, whether or not it is reported to be doing so. The Committee has a role there. It is not just for experts or the State itself to decide — the Committee has a role of assessment. But the work of the experts in setting broad, objective criteria is of great importance to the Committee.

What action will be taken if a State is not compliant? That has not yet happened, and we will

address it if and when it does happen. But the response from States Members of the United Nations has been extremely positive, constructive and cooperative so far.

I do not think we have to tie ourselves down by trying to answer that question until we meet it. If we do, the Committee will discuss it. We are working by consensus, so within the Committee we are not going to solve any contentious or highly political and sensitive issues. We have already said as a Committee that we will, if necessary, bring such issues, if they affect our mandate, back to the Security Council itself.

I think that we are proceeding in the right way. We are starting with the intention to make sure that every State has the right legislation in place, then is implementing that legislation with the right Government machinery in place and is using, as I said this morning, those instruments to make sure that terrorism does not surface on its territory.

So there are questions that we have to have in our minds, but the resolution itself is our guide in this respect. From my point of view as Chairman I will make sure that we stick scrupulously to the terms of the resolution.

Chile made a suggestion that we should compile our experiences to facilitate progress towards an elaboration of a new concept of security in the twenty-first century. That is much too broad a suggestion to discuss this afternoon, but I think it is the Committee's intention to be very frank and open about its experiences. We have already had three members of the expert team circulate papers about their view of how it has gone so far. We are, to some extent, in new territory as we move forward. I think that the delegation of Chile is right that we should — as far as we can, and without straying from our mandate — share our experience with the international community and with Member States in terms of — well, who knows what a new concept of security is — in terms of the global, the comprehensive, collective approach to dealing with security problems of this nature. We will bear that in mind and make sure that our web site and the other means that we use to distribute our experience will be full of what I hope Member States will find is interesting material.

Australia brought up its own very welcome contributions to regional efforts to understand the problem and to start dealing with it. In response to that, I think it is time for me to thank, from my position,

quite a broad range of Member States who have already begun or are already contemplating putting in place a number of measures to help those States who need technical and financial assistance in meeting the requirements of resolution 1373 (2001).

I mentioned Norway and the Organization of African Unity this morning, and Australia and New Zealand in their area. The United States in virtually every area has been highly active in this regard. The Group of Eight industrialized countries under Canadian leadership is very active at the moment. Your own country, Mr. President, is active in the area of the Commonwealth of Independent States. The European Union and the Organization for Security and Cooperation in Europe has been active in Europe and beyond. I would mention also Japan, in its role within ASEAN + 3, the G-8, the ASEAN Regional Forum (ARF), and beyond that as a bilateral donor of importance. I would also mention the regional organization that has made the most progress so far of collective, considered reaction against terrorism, and that is the Organization of American States. All these are playing increasingly important roles, and I hope that others will join them. It is already, as you will see from my list, a very broad collective effort.

Turkey mentioned definitional problems. I am not going to get back into them. It is not the business of the Committee to solve definitional problems. As I have said on other occasions, the CTC has an enormous amount of work to do and can do that work without stumbling over definitional problems. We work by consensus and we will regard an act of terrorism, if it is necessary to do so, as one which all 15 of us will agree is an act of terrorism. That covers a huge area that needs work under resolution 1373 (2001). So we ourselves will not cut across the responsibility of the General Assembly to take action in that regard.

I was very pleased that Malawi spoke to us on behalf of the Southern African Development Community to say what that subregional group is doing and that it also, in respect of its own national approach, expressed very clearly the seven areas where it was seeking improvements and was unequivocal in wanting international assistance to help it fulfil its obligations in those areas. I hope that many Member States will follow Malawi's example and make specific requests for assistance, because in our work as the Committee with international organizations and donor States, we are beginning to bring together the availability of supply of assistance, which will be relevant in the case of Malawi and, I suspect, many others.

I think today's debate has been extremely useful. I would like again to express my gratitude to all those delegations that have taken a part. There is a huge amount of work to do. We in the Committee will do it with a will, and we look forward to further open briefings. I will try to hold one before the next week is out with Member States of the United Nations. I end with thanks to my colleagues on the Committee and our experts in the Secretariat for the hard work that they have done and that is still to come.

**The President** (*spoke in Russian*): I thank the Chairman of the Counter-Terrorism Committee, Sir Jeremy Greenstock, for his comments and responses to the questions.

There are no further speakers on my list. The Security Council has concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 4:30 p.m.*