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Measures to eliminate international terrorism

*A/56/50.

Measures to eliminate international terrorism

Report of the Secretary-General

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 50/53 of 11 December 1995, entitled "Measures to eliminate international terrorism", in which the Assembly requested the Secretary-General to follow up closely the implementation of the Declaration on Measures to Eliminate International Terrorism (resolution 49/60, annex) and to submit an annual report on the implementation of paragraph 10 of the Declaration, taking into account the modalities set out in his report to the Assembly at its fiftieth session (A/50/372 and Add.1) and the views expressed by States in the debate of the Sixth Committee during that session.¹

2. In paragraph 10 of the Declaration, the General Assembly requested the Secretary-General to assist in the implementation of the Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

"(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;

"(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;

"(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;

"(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism."

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37. **Israel** stated that it condemned in the strongest possible terms all forms and manifestations of international terrorism, whatever its motivations. It considered the resort to terrorism for political ends fundamentally opposed to the Charter of the United Nations and to established principles of international law and remained resolutely committed to the maintenance of international peace and security and to the resolution of disputes solely by peaceful means.

38. Unfortunately, Israel continued to be a frequent victim of international terrorism. A variety of terrorist groups, benefiting from the substantial support and encouragement of certain Member States, consistently targeted Israeli civilians in a relentless and vicious terrorist campaign.⁴ As a result of its unfortunate experience, Israel had come to appreciate the special importance of combating all forms of terrorism in a comprehensive and

uncompromising manner. Accordingly, it had emphasized the importance of a unified, global and unrelenting approach to the fight against terrorism, whatever its pretext, both in United Nations forums and in ongoing multilateral and bilateral dialogues with other States.

39. Israel placed high priority on the adoption and enforcement of legal mechanisms to effectively prevent and suppress terrorism and its support structure. With respect to national legislation, terrorism was dealt with primarily under general criminal and procedural provisions of the Penal Law (1977), as amended. Those laws were supplemented by specific anti-terrorism legislation, including, in particular, the Prevention of Terrorism Ordinance (1948).³ The Ordinance made it a criminal offence, inter alia, to be a member of a "terrorist organization", as defined in the Ordinance (art. 1), including participation in its activities, publishing propaganda in favour of the organization or its activities or collecting moneys or articles for its benefit. The Ordinance also allowed for the confiscation of the property of such a terrorist organization by order of a District Court and the closing of any place serving a terrorist organization.

40. Additional laws and regulations, while not directly concerned with combating terrorism, included provisions that revealed the gravity with which the legislature viewed terrorist offences. Examples of such legislation included the Prohibition of Money Laundering Law (2000), which provided, as an exceptional measure, that authorities might convey classified information stored in data banks to authorized security officials for the purpose of investigating the activities of terrorist organizations; the Prohibition of Erecting Memorials to the Perpetrators of Terrorist Acts Law (1998), which prohibited the construction of any kind of memorial to terrorists; and the Criminal Record Law (1981), which included a provision according to which offences under the Prevention of Terrorism Ordinance were not to be erased from an individual's criminal record.

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102. The **Syrian Arab Republic** supplied information regarding the multilateral anti-terrorism conventions to which it is a party.²

103. In its reply the Syrian Arab Republic reaffirmed its condemnation of terrorism in all its forms and manifestations, whether the terrorism of individuals, groups or States, as involving criminal acts that targeted the lives and property of the innocent and violated state sovereignty, territorial integrity and infrastructure.

104. The Syrian Arab Republic affirmed once again that it was essential to distinguish between terrorism, which was to be condemned, and acts of legitimate resistance and national struggle against foreign occupation. For the sake of freedom, international law and the Charter of the United Nations had guaranteed that legitimate right to all peoples under foreign occupation and foreign domination.

105. The Syrian Arab Republic had been among the first to call for the convening of an international conference to define terrorism, examine its causes and differentiate between it and the struggle of peoples for freedom from foreign occupation. At the Twelfth Conference of Heads of State or Government of the Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998, the Movement of Non-Aligned Countries had supported that call and endorsed it as a key initiative of the Movement. That initiative had been followed by a number of others that had been affirmed at subsequent ministerial meetings and most recently at the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000. The Conference had reiterated the collective position of the Movement on terrorism and had reaffirmed the need 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 item had also been included in the agenda of the Ad Hoc Committee established by the General Assembly in its resolution 51/210.

106. The Syrian Arab Republic had been committed to the convening of a conference that the General Assembly deemed to be essential in its resolution 54/110 of 9 December 1999, a view that it had reaffirmed in paragraph 13 of its resolution 55/158 of 12 December 2000.

107. The provisions of the international conventions on terrorism to which the Syrian Arab Republic has acceded and by which it was bound had become law and provided the country with the legal foundation for combating terrorism at the international level. At the national level, the Syrian Penal Code (Legislative Decree No. 148 of 22 June 1949, as amended) contained a number of articles that outlawed terrorism and penalized its perpetrators.³

108. It was reported that Syrian criminal legislation had endeavoured to provide for, prosecute and combat the commission of terrorist offences. The Penal Code provided the harshest penalties with a view to safeguarding the security and safety of citizens and public order in the country and protecting public and private institutions from sabotage.

109. The Syrian Arab Republic had also concluded many bilateral agreements and protocols with various countries on cooperation in security-related fields, the exchange of information, the suppression of terrorism and the extradition of offenders.

110. The Syrian Arab Republic had made a major effort to participate in the work undertaken by the General Assembly in years past to develop new international conventions to combat international terrorism. The Syrian Arab Republic maintained its diligent participation in the ongoing work on a comprehensive convention to combat international terrorism that would fill the gaps left by past conventions and would provide a clear definition of terrorist acts to be prosecuted and criminalized that left no room for doubt and differentiated such acts from legitimate acts of resistance to foreign occupation in accordance with the many relevant resolutions of the General Assembly, including resolutions 42/159 of 7 December 1987 and 46/51 of 9 December 1991, and with international law and the Charter of the United Nations.

111. The Syrian Arab Republic persisted in hoping that the work on the development of the convention would end the problem of defining terrorism, given that the more specialized international conventions of the past had been devoid of such a definition because of the lack of any genuine political will to resolve the issue.

112. The Syrian Arab Republic was of the view that the solution lay in the adoption of the definition contained in the relevant convention of OIC, which it had submitted as an official proposal to the Ad Hoc Committee established by the General Assembly in its resolution 51/210. It would thus be possible to eliminate the ambiguity that was deliberately intended to create confusion between what constituted terrorism and what was a legitimate

act. The series of international and regional conventions to combat terrorism would then culminate in a comprehensive convention that met with general consensus and enjoyed universal implementation and support.

113. For years past the Syrian Arab Republic had been suffering, as it continued to suffer at the present moment, from the State terrorism practised by Israel. Israel was occupying the Syrian Golan, which was an integral part of the territory of Syria and was dear to all citizens of the country. The Syrian citizens languishing under the occupation endured the harshest kinds of oppression, coercion and intimidation as well as all forms of terrorism and barbaric treatment in violation of international legitimacy and international law. Occupation was indeed the most heinous form of terrorism.

114. The State terrorism in which Israel engaged against the peoples of the region and its failure to comply with the relevant United Nations resolutions, especially Security Council resolutions [242 \(1967\)](#) and [338 \(1973\)](#), which required it to withdraw from the Arab territories it was occupying to the line of 4 June 1967, were indeed to be regarded as in flagrant violation of the principles of international law and the Charter of the United Nations.

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Notes

¹ Note also the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism (resolution 51/210, annex).

² See sect. III.A.

³ Available in the Codification Division of the Office of Legal Affairs.

⁴ In this regard, reference was made to the many recent letters addressed to the Secretary-General by the Permanent Mission of Israel regarding the continued wave of terrorist attacks against Israelis, including the letters dated 2 February (A/55/762-S/2001/103); 6 February (A/55/767-S/2001/111); 13 February (A/55/781-S/2001/132); 14 February (A/55/787-S/2001/137); 16 February (A/55/792-S/2001/142); 2 March (A/55/819-S/2001/187); 5 March (A/55/821-S/2001/193); 19 March (A/55/842-S/2001/244); 26 March (A/55/858-S/2001/278); 27 March (A/55/860-S/2001/280); 28 March (A/55/863-S/2001/291); 16 April (A/55/901-S/2001/364); 23 April (A/55/910-S/2001/396); 1 May (A/55/924-S/2001/435); and 9 May (A/56/69-S/2001/459).

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