

**STATEMENT BY MR. V.K. NAMBIAR, PERMANENT REPRESENTATIVE ON
AGENDA ITEM 160: MEASURES TO ELIMINATE INTERNATIONAL TERRORISM AT
THE SIXTH COMMITTEE OF 57TH UNGA ON OCTOBER 3, 2002**



Mr. Chairman,

India attaches the highest importance to the agenda item relating to “Measures to Eliminate International Terrorism” currently under consideration in this Committee. We note with satisfaction the report of the Secretary General on this item which contains measures taken at the national and international levels for the prevention and suppression of international terrorism and information on incidents caused by international terrorism. We would also like to thank Ambassador Rohan Pereira of Sri Lanka for his competent presentation yesterday of the report of the sixth session of the Ad hoc Committee established under resolution 51/210.

As a country exposed to the depredations of terrorism for several years, India has always taken a strong stand on the question of countering international terrorism in all its aspects. The recent terrorist attack against innocent civilians assembled in a place

of worship at the Swaminarayan Temple in Gandhinagar, Gujarat left a trail of over 30 men, women and children dead and around a hundred others wounded severely. This event demonstrates the heavy price the people of India continue to pay in their fight against terrorism. Indeed, India has been at the receiving end of cross border terrorism for almost two decades. Whether directed against the lives of innocent civilians, against places of worship, against parliamentary institutions, government establishments or against individual voters, prospective candidates or officials engaged in the conduct of democratic processes these attacks represent a challenge to the established values of our society, to our democratic political process and to the law and order machinery of the state. We are determined to confront these challenges fully and we shall overcome them decisively and completely.

Mr. Chairman,

The terrible events of September 11, in this city last year brought home to the world with shocking intensity the

profound range and depth that the phenomenon of international terrorism has truly assumed. No country, organization or institution can declare itself entirely outside its reach or truly immune to its effects. During the general debate at the UNGA last month, a number of states acknowledged the international nature of the phenomenon and supported coordinated action targeting international terrorism in all its forms. It is our fervent hope that the solidarity manifested since 9/11, around the world will be maintained. Our effort must not be confined to a hunt for either just an individual or group, or to dealing with the superficial symptoms of this malaise alone. Rather it must concentrate on a thorough destruction of this phenomenon from its roots, its support bases and diverse manifestations across the world. Terrorist organizations are also financed through other criminal activities including arms smuggling, drugs production and trafficking and money laundering. The war on terrorism must be fought, therefore, on many fronts. It is our deep conviction that increased international efforts towards the effective elimination of these criminal activities would also contribute to the struggle for the elimination of terrorism.

Mr. Chairman,

The Declaration on Measures to Eliminate International Terrorism, adopted by General Assembly resolution 49/60 in 1994, was the first significant step taken by the United Nations in the fight against terrorism. It was the first comprehensive standard-setting instrument at the international level, which unequivocally condemned all acts, methods and practices of terrorism as criminal and unjustifiable

whenever and by whomever committed. It obliged States to refrain from organizing, instigating, assisting or participating in terrorist acts in the territories of other States, or from acquiescing in or encouraging, activities within their territories, directed towards the commission of such acts. States must ensure that their territories are not used for terrorist installations or training camps or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens. The Declaration made clear that no considerations of political, philosophical, ideological, racial, ethnic, religious or any other nature could justify criminal acts intended or calculated to promote a state of terror in the general public. Unfortunately, the Declaration continues to be flouted by some States that provide moral, material, financial and logistical sponsorship and support as well as provide arms to terrorists. It is necessary to ensure that the Declaration is implemented sincerely by all States and that the standards it has set are effectively operationalised.

Mr. Chairman,

We believe that terrorism is a common enemy of all peoples, of all beliefs, and religions and of peace and democracy. Terrorism is defined with reference to the act, not by a description of the perpetrator of the act. International Law does not support the argument-distinguishing terrorists from freedom-fighters. Contemporary international law does not permit impunity to perpetrators of crimes against humanity either. Terrorists are criminals. Alibis or rationalisations advanced by advocates of the "root causes" of terrorism do not, indeed

cannot, absolve terrorists from their culpability.

Mr. Chairman,

The international community has taken some collective decisions in the global effort to combat terrorism and choke off its lifelines. The UN Security Council resolution 1373 contains the essence of its decisions. The Ad-Hoc committee established by the General Assembly Resolution 51/210 of December 1996 to elaborate a draft comprehensive convention on international terrorism is another milestone in the standard setting process to combat international terrorism.

India has taken several steps in strengthening international cooperation to combat terrorism. We have entered into several bilateral treaties in the areas of combating organised crime, narcotic drug offences, extradition and treaties of mutual assistance in criminal matters. These treaties facilitate exchange of operational information and development of joint programmes to combat organised crime and terrorism. They also facilitate the transfer of fugitive offenders, suspected terrorists etc., so that they can stand trial in the State in which the offence is committed. The mutual legal assistance treaties facilitate prosecution of offences, location of fugitives, transfer of witnesses and exhibits all of which play a vital role in the punishment of crime and prosecution of offenders. India is a party to twelve international sectoral conventions on terrorism that have been concluded under the aegis of the United Nations. Measures are being taken for

the early ratification of a Convention on Suppression of Financing of Terrorism.

Recently India also enacted the Prevention of Terrorism Act, 2002 wherein the "terrorist act" has been defined in broader terms that include inter alia acts of fundraising by persons or organisations if such funds are intended to further the purpose of terrorism. This enactment also contains provisions for the seizure of property and assets of terrorists organisations. The Act makes it obligatory for all persons to furnish information available with them in respect of terrorist offences. This enactment taken together with other existing general and special laws provides a complete legal regime to help India combat terrorism.

Mr. Chairman,

The work of the Ad-Hoc committee within the framework of a Working Group of the Sixth committee has been making good progress. My delegation attaches highest priority to the conclusion of the Comprehensive Convention on International Terrorism. We are conscious of the need to achieve consensus in respect of the issues of the draft convention that remain outstanding namely article 1 and article 18. It is our firm conviction that the elaboration of the Convention is possible and effort should be intensified by the Ad-Hoc committee and within the framework of the Working Group in the Sixth Committee, which provides for a congenial professional atmosphere and a spirit of accommodation which can make for a productive outcome. Much progress has been made during last year and it is the hope of my delegation

that the outstanding matters are also capable of satisfactory resolution.

Mr. Chairman,

My delegation strongly favours the early adoption of the Convention against Nuclear Terrorism. We urge

that the outstanding issues be resolved quickly in a spirit of accommodation and in the overall interest of realizing the ultimate goal of eliminating terrorism.

Thank you, Mr.Chairman

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