



**STATEMENT BY MR. INDER JIT, MEMBER OF THE INDIAN DELEGATION,
ON AGENDA ITEM 108: MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM IN THE SIXTH COMMITTEE OF THE 60TH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 6, 2005**

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 information submitted by States, and international organizations describing their activities relating to the prevention and suppression of international terrorism. The report also contains many useful elements including a comprehensive inventory of coordinated response of the Secretariat to terrorism.

Mr. Chairman,

The Declaration on Measures to Eliminate International Terrorism, adopted by the 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 of paramount importance of today than ever before 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 the common enemy of all peoples, all beliefs, all religion, and of peace, and democracy. Terrorism undermines the very foundation of freedom and democracy, endangers the continued existence of open and democratic societies, and constitutes a global threat; therefore, there cannot be any compromise in the war against terrorism.

Mr. Chairman,

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. Our conviction is made loud clear by our Prime Minister in his statement during the recent high level plenary meeting of the 60th Session on September 15, I quote: "Democratic governance both within nations and in our global institutions would also constitute a powerful weapon in meeting the global scourge of terrorism. We must not yield any space to terrorism. We must firmly reject any notion that there is any cause that justifies it. No cause could ever justify the indiscriminate killing of innocent men, women and children. For several years, India has faced cross border terrorism directed against its unity and territorial integrity. We shall never succumb to or compromise with terror in Jammu and Kashmir or elsewhere".

Mr. Chairman,

The terrible events of September 11, 2001 in this city brought home to the world with shocking intensity the profound range and depth that the phenomenon of international terrorism could cause damage to the open societies. Terrorist attacks since then, in Spain, Russian Federation, United Kingdom, Egypt, Turkey and in Indonesia made it clear that 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 acknowledge the international nature of the phenomenon and supported coordinated action targeting international terrorism in all its forms.

Mr. Chairman,

Our efforts 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,

India has taken several steps in strengthening international cooperation to combat terrorism. We have entered into several bilateral treaties in the areas of combating organized 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 organized crime and terrorism. They also facilitate the transfer of fugitive offenders, suspected terrorist 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. We are also studying carefully the Convention for the suppression of Acts of Nuclear Terrorism with a view to consider becoming party to the Convention.

Mr. Chairman,

The outcome document which had the endorsement of all the head of the states and governments contains a strong anti terrorism agenda. The summit also endorsed the need to conclude the negotiations of a comprehensive convention on international terrorism during this session. Mr. Chairman, you have also reminded us of this deadline, in your opening address three days ago. Since, the draft Convention under consideration does not raise any legal problems, and the delay in its conclusion and adoption, by and large associated with lack of political will of the few, demonstration of the political will is the need of the hour.

As we are all aware, the question of definition of an offence is a matter of precise legal language and is already reflected in the text of the draft Comprehensive Convention on International Terrorism now under consideration by this Committee. The objective of the Convention is to provide legal provisions which can be adopted in the criminal law instrument that would facilitate judicial cooperation, mutual assistance and extradition. The General Assembly has the central role in this process, if it abdicates its role, the Security Council, as in the past, will continue to deal with this issue in a partial piecemeal manner, governed by the political imperatives of the moment. That is not good for the development of law which needs to be broad based and transparent. We are all know the existence of a broadest possible agreement on all the draft provisions of the Comprehensive convention on International Terrorism. However, the inclusion and exclusion of certain elements in Article 18 of the draft Convention remains a major outstanding issue. The Secretary-General's Report on the present agenda item indicates that, so far, the terrorism issue has been covered by 27 legal instruments. Making legal instruments to enrich a legal field is an ongoing process, be it in Terrorism, Human rights or in humanitarian law. It is impractical and inefficient to address all the issues as complex as terrorism in one document. What is important is the timeliness. When the whole world waits for this Convention, we have to show flexibility and demonstrate

political will. The August 2005 informal consultations gave a hope that we are near a compromise solution, which would enable agreement on the important Article 18 of the Convention. However, the issues which do not fit into the configuration of the present Convention are, in our view not less important, they are required to be handled separately in an appropriate format.

Thank you Mr. Chairman.

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