



*Permanent Mission of*  
**Malaysia**  
*to the United Nations*

STATEMENT BY H.E. MR. HAMIDON ALI, THE PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS ON AGENDA ITEM 106: MEASURES TO ELIMINATE INTERNATIONAL TERRORISM AT THE SIXTH COMMITTEE OF THE 64<sup>TH</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK 7<sup>th</sup> OCTOBER 2009

Mr. Chairman,

As this is the first time my delegation is taking the floor in this Committee, let me congratulate you on your appointment. We pledge our support to you and the Bureau. My delegation aligns itself to the statements made by the representative of Syria on behalf of the Organisation of the Islamic Conference (OIC), by the representative of Iran on behalf of the Non-Aligned Movement (NAM) and that of Vietnam, on behalf of the Association of the South East Asian Nations (ASEAN).

1. Malaysia notes that significant efforts have continued to be undertaken by Member States to implement General Assembly resolution 63/129 – “Measures to Eliminate International Terrorism”. Malaysia records its appreciation for the efforts of the Secretary-General in fulfilling the mandate under General Assembly resolution 49/60 of 9 December 1994 and welcomes the Report of the Secretary-General [A/64/161] which summarized succinctly information received from Member States 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. The feedback received from relevant international organizations on the implementation of the Declaration on Measures to Eliminate International Terrorism is also informative and valuable for the consideration of Member States. Malaysia further notes the report of the Ad Hoc Committee [A/64/37] which met at the United Nations Headquarters from 29 June to 2 July 2009 for the 13<sup>th</sup> session.

2. However Malaysia views with concern the persistence of terrorist acts carried out around the world, not least in the Asia Pacific region. These incidents are occurring despite the concerted counter-terrorism measures undertaken at international, regional and national levels. The attacks in Jakarta on 17 July 2009 as well as the increasing suicide bombing incidents occurring in conflict areas do not augur well for international peace and security. Instead they fortify the truism that terrorism cannot be defeated by use of force alone. The panacea is and always will be resolution of the root causes of the dissatisfaction which has led to recourse to violence against civilian population and property.

Mr. Chairman,

3. Malaysia's commitment against terrorism in all its forms and manifestations is reflected in the actions it has taken to strengthen its domestic legal framework to implement the obligations under the international counter-terrorism conventions and protocols as well as its continued cooperation with Interpol and foreign law enforcement authorities in their investigations and criminal prosecutions of alleged terrorists.

4. Malaysia is a party to 9 of the international counter-terrorism conventions and protocols. Malaysia is continuing with its efforts to ratify and accede to the International Convention for the Suppression of Acts of Nuclear Terrorism, the Protocol to the Convention on the Physical Protection of Nuclear Material as well as the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its 3 Protocols.

5. At the regional level, Malaysia signed the ASEAN Convention on Counter Terrorism (ACCT) on 13 January 2007. Malaysia also participated in the elaboration of the ASEAN Comprehensive Plan of Action on Counter Terrorism adopted on 30 June 2009 in Nay Pyi Taw, Myanmar. These two instruments in conjunction with the ASEAN Political-Security Community Blueprint adopted on 1 March 2009 provide a cohesive and integrated road map for ASEAN counter-terrorism measures.

Mr. Chairman,

6. With regard to the elaboration of the draft Comprehensive Convention on International Terrorism (CCIT), Malaysia notes the progress made by the Working Group at its meetings in October – November 2008 and the Ad Hoc Committee at its 13<sup>th</sup> session from 29 June to 2 July 2009. Malaysia also welcomes the way forward proposals made by the Coordinator of the CCIT, Ms. Maria Telalian. Malaysia nonetheless stresses that the overall package solution must still satisfactorily address the Member States legal concerns in the draft text of Article 18 to be completely acceptable. Merely changing the name of the CCIT does not resolve underlying difficulties. The understanding that all proposals remain on the table and nothing is agreed until everything is agreed which underpins the work of the Ad Hoc Committee must be respected.

7. In this context, Malaysia hopes that delegations can build on the general agreement achieved on basic principles as stated in paragraph 44 of the summary record of the 14<sup>th</sup> meeting of the Sixth Committee at the 63<sup>rd</sup> session.

8. Further, Malaysia also concurs that the work undertaken thus far to elaborate the CCIT on the basis that it is a law enforcement instrument to ensure individual criminal responsibility on the basis of an extradite or prosecute regime should be preserved without prejudice to the overall merits of dealing with the issue of State-sponsored terrorism carried out through agents. Ultimately, the aim of the General Assembly must be to conclude and adopt a treaty that underscores the primacy of the rule of law in dealing with all such terroristic acts, regardless of its perpetrator.

Mr. Chairman

9. Malaysia also takes this opportunity to reiterate its support for Egypt's proposal for the convening of a high-level conference under the auspices of the United Nations. Malaysia believes the United Nations-led forum is the best avenue to address the extensive political issues underlying the global counter terrorism efforts. Discussions on the substantive provisions in the draft CCIT should in no way be compromised by other issues discussed in parallel thereto. A simultaneous two-track discussion may ultimately yield more well-rounded solutions.

10. In conclusion, Malaysia reiterates its commitment to strengthening international co-operation in combating terrorism led by the General Assembly, as encapsulated by the strategies outlined in the United Nations Global Counter-Terrorism Strategy and the outcome of the first biennial review in September 2008. The overarching principle must be to ensure counter terrorism measures do not infringe upon the sovereignty and territorial integrity of States and the implementation of these measures are consistent with the universally recognized principles governing international relations and international law.

Thank you, Mr. Chairman.