

United States Statement by James Donovan
USUN, Deputy Legal Adviser
Ad Hoc Committee established by General Assembly Resolution 51/210 of 17 December 1996
Measures to Eliminate International Terrorism
April 12, 2010

Mr. Chairman,

The United States is committed to strengthening multilateral counterterrorism cooperation and reinforcing the role of the United Nations in furthering global counterterrorism objectives.

In this regard, the United States continues to support a Comprehensive Convention on International Terrorism that would strengthen the existing international counterterrorism legal regime, and reinforce the critical principle that no cause or grievance justifies terrorism in any form. A convention that underscores this essential principal will be a significant achievement for this global body and in our collective efforts to combat and prevent terrorism.

The United States appreciates the efforts of those who seek to advance new proposals in an attempt to come to agreement on a finalized CCIT text. We firmly believe that any successful resolution to the outstanding issues must be predicated on a shared and clear understanding of certain fundamental principles:

First – A comprehensive convention on terrorism cannot provide a pretext for terrorist groups to claim their criminal acts are excluded from the scope of the convention in the name of national liberation, resistance to foreign occupation, or any other justification or motivation.

Second – As with prior counterterrorism conventions, a comprehensive convention should not reach state military action, which is subject to other international regimes.

The international community has come to consensus on these fundamental principles repeatedly in the past. In the Terrorist Bombings Convention, and more recently in four other counterterrorism instruments, we were able to come to agreement on the very language under consideration in Article 18 that has held up conclusion of this important instrument for too long. We have not been persuaded that there are deficiencies that need to be remedied in this standard language that the international community has adopted five times before.

Although our preference for this standard language is well known, the United States has throughout been willing to consider all proposals that are consistent with these principles. It was in this spirit of accommodation and compromise, and with the understanding that it would provide a basis for concluding the Convention, that we supported the Coordinator's 2002 proposal.

Unfortunately, those who have objected to the 2002 Coordinator's proposal have not indicated a willingness to accept subsequent attempts at compromise, including the most recent 2007 text.

Concerning the 2007 proposal, we appreciate that the Coordinator offered it in an attempt to reiterate the principles already present in the text. We are concerned that the new language introduces ambiguity into the text and could be misconstrued to suggest that the scope of Article 18 is different from that of the comparable provisions in prior conventions. We are prepared to carefully consider the proposal, but there must be agreement that the 2007 proposal does not modify the fundamental principles we have outlined, and that the 2007 text will be interpreted in the same manner as the text found in the other counter-terrorism conventions. Ambiguity on these points will permit competing interpretations as to the very scope of this convention, thereby undermining its value.

We understand the Coordinator offered the 2007 proposal as a take it or leave it proposition, and we believe it needs to be considered in such a manner. And finally Mr. Chairman, the United States aligns itself with the European Union's statement this morning with respect to a high level conference.

Thank you Mr. Chairman

Thank you Mr. Chairman,

In response to outrageous statements made by Iran and others this morning, let me state unequivocally that the United States does not support terrorism or engage in terrorist acts.

These statements illustrate once again why the United Nations has such a difficult time dealing seriously with important issues such as the definition of terrorism.

Thank you Mr. Chairman.