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PA/HO, Department of State
E.O. 12958, as amended
June 22, 2004

MEMORANDUM

NATIONAL SECURITY COUNCIL

~~CONFIDENTIAL~~

7596

October 25, 1972
INFORMATION

MEMORANDUM FOR HENRY KISSINGER

FROM: F. E. Rondon
R. T. Kennedy

SUBJECT: Terrorism: United Nations Action

The memorandum from State at Tab A informs you of UN General Assembly action on two draft conventions: one on terrorism, the other on the protection of diplomats.

1. Terrorism Convention

About November 1, the General Assembly is expected to take up Secretary General Waldheim's agenda item on terrorism. It is State's hope that a resolution will be adopted instructing a UN working group to come up with a draft convention on terrorism for action by next year's General Assembly. As presently conceived, the Convention on Terrorism would punish or extradite those who commit specified acts of terrorism, i.e., murder, kidnapping, when those acts are committed -

-- outside the terrorist's state of nationality;

-- outside the territory of the state at which the terror is directed, i.e., the Munich Olympic murders;

-- within the territory of the state at which the terror is directed but against third country nationals, i.e., the Lod Airport killings.

In other words, the treaty would seek to circumscribe the export of politically motivated terrorism but not "domestic" terrorist acts committed in countries where, for example, "wars of liberation" are taking place.

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There appears to be only a 50-50 chance for favorable UN action on this item. As on all terrorist items, the Arabs and Africans are the principal stumbling blocks. However, State hopes to get by the Arabs by proposing that a second UN working group also look at the root causes of terrorism, an action the Arabs want as a means to discuss the Palestinian situation. This would allow the first group to concentrate exclusively on drafting a treaty.

2. Convention on Protection of Diplomats

In his speech to the Assembly of September 25, Secretary Rogers urged completion this year of a draft treaty providing for the prosecution or extradition of those who attack or kidnap diplomats. Notwithstanding the plea, on October 20, the UN's Legal Committee opted instead to refer the matter to next year's Assembly. Any earlier consideration was blocked by the Arabs and Africans.

The President is signing the Montreal Sabotage Convention this week. It requires extradition or prosecution of anyone who endangers the safe flight of aircraft by damaging the aircraft or by damaging air navigation facilities. In connection with that signing, the President will issue a statement referring to the two Conventions discussed above which are now before the UN and urging prompt action on them by the UN.

Attachment

Tab A - Memorandum from State (Eliot to Kissinger), October 21.

Copy to: Hal Saunders
David Young

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