Statement by James B. Donovan, Deputy Legal Adviser to the Permanent Representative of the United States, on Agenda Item 107: Measures to Eliminate International Terrorism, in the Sixth Committee

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Thank you, Madame Chairperson. I would like to congratulate you and other members of this year’s Sixth Committee Bureau on your election and we look forward to working with all of you.

The United States reiterates its firm condemnation of terrorism in all its forms and manifestations. We reaffirm what the international community has long maintained – all acts of terrorism, by whomever committed, are criminal, inhumane, and unjustifiable, regardless of motivation.

The United States recognizes the global nature of the common challenge we face in addressing the threats posed by terrorism and violent extremism. The United States is committed, on the basis of mutual interests and respect, to deepening and broadening our partnerships to strengthen the international cooperation that is critical to an effective strategy to dealing with these threats. A united effort by the international community is required if we are to succeed in preventing these heinous acts.

In recent statements in the Security Council and General Assembly, Secretary Clinton and Ambassador Rice have underscored the United States’ strong support for the full implementation of the UN counterterrorism framework and the increasingly effective practical counterterrorism work being undertaken by a number of UN actors. The United Nations has a critical role to play here, including through norm creation and promotion, providing and facilitating capacity-building and other technical assistance to help countries meet these norms, working with countries to allow them to better address the conditions conducive to the spread of terrorism within their borders and regions, and providing a platform not only for policymakers and practitioners to exchange CT experiences and best practices, but for victims of terrorism and survivor networks to bravely speak out against the violent extremist ideology that lies at the root of much of today’s terrorism.

Moreover, the United Nations, is uniquely positioned to promote international cooperation between States in devising effective and practical measures for the prevention of terrorist acts, and for the prosecution and punishment of those who commit terrorist acts. We recognize the successes of the United Nations, thanks to the work of this Committee, and UN specialized agencies in developing 18 universal instruments that establish a thorough legal framework for combating terrorism. These instruments require state parties to criminalize, and cooperate in combating, a wide range of terrorist conduct, including terrorist bombings, terrorist financing, nuclear terrorism, hostage taking, and attacks against ships, fixed platform, airplanes and airports. Where needed, the international community has come together to address gaps and make improvements to this framework, as demonstrated recently with the conclusion last month of the Beijing Convention on the Suppression of Unlawful Acts relating to International Civil Aviation and the Beijing Protocol supplementing the 1971 Hague Hijackings Convention.

The United States supports efforts to promote ratification of these 18 instruments, as well as efforts to promote their full and effective implementation. In this regard, we recognize the important role that the UN Office and Drugs and Crime’s Terrorism Prevention Branch plays in providing much needed training to national criminal justice officials and have recently decided to increase our funding support for its work.

We also support efforts to further develop and enhance the legal framework to combat terrorism. In that respect, we have long supported and continue to support conclusion of a comprehensive convention that would reinforce the critical principle that no cause or grievance justifies terrorism. We have long strived to reach consensus on a text that would draw upon existing language on military activities, which has been widely accepted in the international community, to bring negotiations to conclusion. And while we remain willing to consider solutions consistent with fundamental principles that we have previously outlined, the United States is of the view that a continued impasse on this issue only serves to highlight those issues that divide us in the collective fight against terrorism. Our collective effort in countering the terrorist threat is more effectively focused on the many areas where we are united – and the United States is committed to working with partners around the world, including at and with the United Nations, in a sustained effort to combat terrorism and counter violent extremism.

The United States does not generally comment on pending extradition matters but is doing so here given the statement made by the Government of Cuba with respect to the Posada case.

The United States has informed the Venezuelan government that we do not have a sufficient basis under U.S. law or our extradition treaty to proceed at this time with the Venezuela government’s extradition request. In our latest communication to the Venezuelan government on this case, the United States identified and explained a number of deficiencies in the request.

We would note that Posada Carriles is currently facing federal prosecution in the Western District of Texas on a number of charges, including charges that he lied to officials of the U.S. government about his involvement in terrorist bombings that took place in Cuba in 1997. Trial in that case is presently scheduled to commence in January 2011.

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