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NEA-10 RSC-01 SY-05 USSS-00 ER-11 DOTE-00 FAA-00  
CAB-09 COME-00 AID-20 OMB-01 CIAE-00 DODE-00 RM-08  
H-02 INR-09 NSAE-00 NSC-10 P-03 PRS-01 SS-14 USIA-12  
RSR-01 /185 W

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TO SECSTATE WASHDC 5960

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SUBJ: LEGAL COMMITTEE - TERRORISM ITEM

SUMMARY: FROM BEGINNING THE ATTITUDE OF AFRICANS WAS  
FUNDAMENTAL TO PROSPECTS OF FAVORABLE VOTE FOR MEANING-  
FUL ACTION ON INTERNATIONAL TERRORISM. ARABS SUCCESSFUL  
IN CONVINCING AFRICANS THEY HAD SOMETHING TO FEAR  
FROM EXERCISE FROM POINT OF VIEW OF NATIONAL LIBERATION  
MOVEMENTS. OUR EFFORTS TO CONVINC THE AFRICANS TO  
CONTRARY UNAVAILING AND NON-ALIGNED SOLIDARITY CARRIED  
THE DAY AGAINST ANY MEANINGFUL EXPRESSIONS OF COMMUNITY  
VIEWS ON INTERNATIONAL TERRORISM OR STEPS TO CARRY  
THE MATTER FORWARD. US ACTION IN TABLING CONVENTION  
AND RESOLUTION ON FIRST DAY WAS GENERALLY CONSIDERED  
ABRUPT AND IMPETUOUS. ISRAELI ACTIONS TO HEAT UP  
EXERCISE IN SIXTH COMMITTEE, AND FAILURE OF DELEGATIONS  
SUCH AS FRANCE, SWEDEN AND THE USSR TO STAND FIRM WERE  
CONTRIBUTING FACTORS TO THE FINAL RESULT. THE FINAL  
RESULT WAS A WEAK EXPRESSION OF COMMUNITY ATTITUDES  
TOWARD INTERNATIONAL TERRORISM AND A MACHINERY FOR  
FUTURE WORK WHICH IS GEARED FOR LITTLE OR NO PROGRESS  
AND MAY CAUSE ACTUAL HARM THROUGH REDIRECTION AND

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EMPHASIS ON SOUTHERN AFRICAN PROBLEMS.

1. SECRETARY-GENERAL ACTED PROPERLY IN BRINGING MATTER OF INTERNATIONAL TERRORISM BEFORE UNGA. HE DID SO IN AFTERMATH OF MUNICH WHICH MADE HYPER-SENSITIVE ARABS REACT ON SUSPICION THAT MATTER AIMED SOLELY AT THEM. HAD HE WAITED UNTIL NEXT YEAR TO ACT ARGUMENT WOULD PROBABLY HAVE BEEN MADE THAT THERE HAD BEEN NO APPALLING INCIDENT OF MUNICH MAGNITUDE IN RECENT MONTHS THEREFORE WHY THE WORRY. MISTAKE SYG MADE WAS HIS FAILURE TO CONSULT WITH ANY DELEGATIONS, PARTICULARLY AFRICAN, BEFORE HE MOVED.

2. AS SOON AS ITEM TABLED ARABS VERY EFFECTIVELY PLAYED UPON AFRICAN SENSITIVITIES REGARDING LIBERATION MOVEMENTS IN SOUTHERN AFRICA. ALTHOUGH SYG, US AND OTHERS MADE CLEAR THEY WERE NOT TALKING ABOUT ACTIVITIES OF INDIVIDUALS FIGHTING FOR SELF-DETERMINATION IN SOUTHERN AFRICA, AFRICAN FEARS ONCE AROUSED WERE NEVER QUIETED.

3. WHETHER ITEM COULD HAVE BEEN INSCRIBED BY PLENARY WITHOUT THE RED-HERRING AMENDMENT PROPOSED BY BAROODY IS DIFFICULT TO SAY, BUT IT WOULD HAVE BEEN A CLOSE QUESTION. BAROODY'S AMENDMENT WAS ADOPTED WITH STRONG AFRICAN SUPPORT. ONCE IT WAS ADOPTED THE ENTIRE FOCUS OF THE ITEM WAS ALL BUT FATALLY DISTORTED.

4. THE NEXT BLOW TO THE ITEM WAS THE US EFFORT TO EXERCISE CONSTRUCTIVE LEADERSHIP. WE HAD A DRAFT RESOLUTION AND DRAFT CONVENTION WHICH WE RIGHTLY BELIEVED DEMONSTRATED THAT IT WAS POSSIBLE TO TAKE MEANINGFUL ACTION WITHOUT JEOPARDIZING THE ACTIVITIES OF AFRICAN FREEDOM FIGHTERS. OUR TABLING OF THE RESOLUTION AND THE CONVENTION BEFORE THE SIXTH COMMITTEE HAD EVEN BEGUN DISCUSSING ITS ORDER OF WORK VIOLATED NORMAL PROCEDURES AND WAS IN FACT COUNTER-PRODUCTIVE. AT NO TIME DID WE ATTRACT ANY SUPPORT BY OUR ACTION IN TABLING THIS MATERIAL AT THE BEGINNING OF THE SESSION ALTHOUGH INDIVIDUAL MEMBERS OF AFRICAN AND ASIAN DELEGATIONS ADMITTED OUR APPROACH WAS BASICALLY SOUND.

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5. OUR EFFORTS PRIOR TO THE DISCUSSION OF THE ITEM TO SEPARATE THE AFRICANS FROM THE ARABS WHO CLEARLY WISHED TO TAKE NO ACTION WERE UNAVAILING. WHEN THE DISCUSSION OF THE ITEM BEGAN IN THE SIXTH COMMITTEE SUCH CHANCES FOR SUCCESS AS REMAINED WERE DIMINISHED BY THE APPROACH TAKEN BY AMB. TEKDAH (ISRAEL). HIS FLAMBOYANT STATEMENT HELPED TURN WHAT HAD BEEN ON THE WHOLE THE BEGINNINGS OF A RESPONSIBLE DISCUSSION OF THE QUESTION IN PART INTO A HEATED POLITICAL CONTROVERSY AS TO WHO DID WHAT TO WHOM AND WHEN IN THE MIDDLE EAST.

6. ALTHOUGH WE CONTINUED TO TRY AND EXPLAIN TO THE AFRICANS WHY THEY HAD NOTHING TO FEAR FROM THE ITEM AND STRESSED OUR WILLINGNESS TO ACCEPT REASONABLE LANGUAGE ON SELF-DETERMINATION WE WERE NEVER ABLE TO MAKE ANY SIGNIFICANT INROADS. HAD WE NOT HAD THE 25 PERCENT PROBLEM TO WORK ON WITH GREATER PRIORITY, WE WOULD HAVE BEEN ABLE TO MAKE STILL GREATER EFFORTS WITH THIRD WORLD COUNTRIES BUT IT IS DOUBTFUL WHETHER THE OUTCOME WOULD HAVE BEEN SUBSTANTIALLY DIFFERENT.

7. WE HAD THE ASSISTANCE OF A NUMBER OF WESTERN DELEGATIONS IN SEEKING TO WORK OUT A VIABLE APPROACH TO THE PROBLEM. THE ITALIAN PROPOSAL WAS NOT AN IDEAL VEHICLE AS DRAFTED, BUT IT NEVERTHELESS REPRESENTED A RESPONSIBLE EFFORT ON THE PART OF A NUMBER OF SERIOUS STATES WITH BROAD GEOGRAPHIC REPRESENTATION EXCEPT FOR AFRICA TO FIND A WAY. THE AFRICANS DECLINED TO PARTICIPATE IN THE ITALIAN EFFORT TO PRODUCE A TEXT AS THEY SHIED AWAY FROM PARTICIPATING IN THE EFFORTS OF MEMBERS OF THE LEGAL COMMITTEE SUCH AS GONZALEZ-GALVEZ (MEXICO). GONZALEZ-GALVEZ IS AN EXPERIENCED NEGOTIATOR AND COMPROMISER OF SOME STATURE WITHIN THE LEGAL COMMUNITY. HE CONVENED MEETINGS OF ALL GROUPS IN AN EFFORT TO FIND A MIDDLEWAY. THE AFRICANS REFUSED TO TAKE PART IN THIS EFFORT AND IN THE FACE OF AFRICAN ABSENCE DELEGATIONS SUCH AS INDIA AND YUGOSLAVIA WITH AMBITIONS TO LEAD THE THIRD WORLD REFUSED TO CONTINUE THE EFFORT. IT WAS FELLOWSHIP RATHER THAN LEADERSHIP.  
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H-02 INR-09 NSAE-00 NSC-10 PL-03 PRS-01 SS-14 USIA-12

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SURJ: LEGAL COMMITTEE -- TERRORISM ITEM

8. LAST MINUTE EFFORTS BY STAVROPOULOS (UN LEGAL COUNSEL) TO CONVENE MEETINGS WERE LIKEWISE UNPRODUCTIVE BECAUSE NON-ALIGNED GROUP HAD BECOME HOSTAGE OF ARAB INTERESTS LED BY ALGERIA. NO MEMBER NON-ALIGNED GROUP EVIDENCED ANY WILLINGNESS AT THESE MEETINGS CONSIDER MIDDLE-GROUND PROPOSALS ONCE ALGERIA TURNED THEM DOWN. WE CONCENTRATED OUR MAIN EFFORTS IN THIS GROUP ON FINDING SOME MACHINERY FOR FUTURE WORK ON THE PROBLEM WHICH COULD REASONABLY BE EXPECTED TO PRODUCE A DRAFT CONVENTION FOR THE 28TH GA. THE ARABS FORCED THE AFRICANS TO REJECT EVEN INCLUSION OF THE CONCEPT OF "INTERNATIONAL LEGAL MEASURES" IN THE MANDATE OF A SINGLE AD HOC COMMITTEE TO BE ESTABLISHED. IT IS POSSIBLE ONE COULD GET PLENARY TO VOTE SUCH LANGUAGE INTO THE RESOLUTION, BUT IT IS HIGHLY IMPROBABLE IT WOULD SIGNIFICANTLY AFFECT THE COURSE OF THE COMMITTEE'S WORK. CORRIDOR EFFORTS TO STRENGTHEN EXPRESSION OF THE COMMUNITY'S REACTION TO INTERNATIONAL TERRORISM WERE LIKEWISE UNAVAILING. SOME FORM OF CONDEMNATION

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MIGHT BE FORCED INTO THE RESOLUTION AT THE LAST MOMENT BUT IT WOULD HAVE TO BE CAREFULLY CIRCUMSCRIBED. (PROS AND CONS OF SUCH AN EFFORT DISCUSSED SEPTEL.)

9. REPEATED EFFORTS AT ALL LEVELS TO SEPARATE AFRICANS FROM ARABS TOTALLY UNAVAILING. INDIVIDUALLY AND COLLECTIVELY A NUMBER OF AFRICAN STATES INDICATED UNHAPPINESS WITH POSITION INTO WHICH ARABS WERE DRIVING THEM BUT THEY WERE SIMPLY UNWILLING TO PARTICIPATE IN ANY EFFORT OR TAKE ANY MEASURES TO SEPARATE THEMSELVES FROM THE ARABS. THE EXTENT OF THE PRESSURE THE ARABS WERE ABLE TO BRING WAS DEMONSTRATED BY THE REFUSAL OF THE KHMER REP DELEGATES TO VOTE ON THE RESOLUTION BECAUSE THEY HAD BEEN THREATENED WITH ARAB AND AFRICAN REPRISALS ON GKR CREDENTIALS AT 28TH GA IF THEY VOTED FOR ANYTHING BUT NON-ALIGNED RESOLUTION. THREATS TO OTHER WAVERING DELEGATIONS WERE REPORTED. THE AFRICANS WOULD NEITHER INITIATE NOR PARTICIPATE IN THE PREPARATION OF ANY LANGUAGE WHICH THE ARABS INDICATED WAS UNACCEPTABLE.

10. THE SOVIETS TALKED STRONG AT THE OUTSET ABOUT WORKING WITH US FOR A CONSTRUCTIVE RESULT BUT LOST THEIR NERVE AND CAPITULATED TO THE NON-ALIGNED WHEN THE GOING GOT ROUGH AND IT BECAME CLEAR THE ARABS WOULD BE SERIOUSLY DISPLEASED BY CONTINUED SOVIET PRESSURE. THE SOVIETS WERE RUDELY REBUFFED BY ALGERIA AND OTHERS AND LOST CONSIDERABLE DIGNITY IN THEIR FRANTIC EFFORTS TO END UP ON THE WINNING SIDE. THE CHINESE SAT IT OUT, SAID LITTLE AND VOTED WITH THE WINNING SIDE. THEIR SYMPATHIES WITH THE ARABS WERE NEVER IN DOUBT. THE FRENCH TOOK A CYNICAL ATTITUDE TOWARD THE EXERCISE AND WERE NEVER A SIGNIFICANT FACTOR; THE EXTENT OF THEIR CONTRIBUTION WAS TO WEAKEN WESTERN EFFORTS BY THEIR OBVIOUS LACK OF CONCERN. THE MAJORITY OF THE LATIN AMERICAN GROUP WAS HELPFUL BUT NOT IN AN ORGANIZED OR EFFECTIVE MANNER.

THE MALAISE WHICH LED TO THIS UNSATISFACTORY  
IT INVOLVED EFFECTIVE ARAB PRESSURES COMBINED  
THIRD WORLD UNHAPPINESS WITH WESTERN POSITIONS

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ON A NUMBER OF OTHER ISSUES AND GENERAL DISTRUST OF WESTERN MOTIVES. THE EFFECT WAS TO PRODUCE A PARANOID PREOCCUPATION WITH NON-ALIGNED SOLIDARITY KEYED TO THE LOWEST POSSIBLE DENOMINATOR OF THE GROUP, IE THE POSITION OF THE EXTREME ARABS SUCH AS ALGERIA AND IRAQ. THE GROUP SYSTEM PRODUCED A RESULT IN WHICH THE WHOLE WAS LESS THAN THE SUM OF THE PARTS. GDS.  
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