

Ad Hoc Committee on measures
to eliminate international terrorism

2 July 2009
2nd meeting

Statement by Ms. Maria Telalian (Greece) on the bilateral contacts and informal meetings concerning outstanding issues relating to the draft comprehensive convention on international terrorism

Thank you very much, Mr. Chairman,

Distinguished delegates,

Following my statement on Monday 29 June, the Chairman and I have held further bilateral contacts with delegations on the outstanding issues on the draft comprehensive convention these past three days. The bilateral contacts, announced in the Journal, were held on Monday, 29 June, and Tuesday, 30 June. Moreover, informal contacts were held with delegations either bilaterally or in groups at diverse places within the building. The bilateral and informal contacts were held against the background of the general exchange of views and informal consultations held on 29 June. It was therefore not surprising that delegations took the opportunity of the bilateral contacts to make an assessment of the debate that took place, in

light of statements made by delegations. While some delegations were apprehensive about the tone and wondered whether positions had changed, others viewed the debate as a restatement of well known previously held positions. I assured delegations of the need to retain an optimistic disposition. I did not see the debate on 29 June as a regressive step.

Indeed, my impressions and initial instincts were vindicated as the Chairman and I met with more and more delegations during the bilateral and informal contacts. Delegations reiterated their willingness to remain engaged in the process and some assured me that the package proposal made in 2007 was still under active consideration. Several delegations also assured me that although different language was used as compared to previous years, there was no intention to change or signal a change of positions, but simply a reiteration of preferred positions. There was no desire either to revert to the pre 2007 position.

Negotiations are the art of the impossible. It is within our hands to make the possible impossible or the impossible possible. In order to assist delegations make the impossible possible if these negotiations are to be taken to the next level, I wish to underscore several considerations, which I

have mentioned in one way or another in the bilateral contacts with delegations. First, the package proposal in 2007 was presented following intensive consultations with delegations, and is aimed at overcoming the impasse that had been reached. As has been the practice of our negotiations over the years there is a general understanding that all proposals made by delegations remain on the table until such time that general agreement is eventually reached.

Secondly, the elements of the package as proposed in 2007 are part of an overall package. They have to be appreciated and understood against the background of the other provisions of the draft convention, in particular, draft articles 2, 3, 14, 15, 20 and 22 of the draft comprehensive convention, prepared by the Friends of the Chairman (A/57/37, annex III).

Thirdly, any attempt to slice the elements would mean affecting the overall balance that is ought to be achieved. It is not in the spirit of the proposal nor was it the motivation behind it that it would be open to delegations to pick and choose which parts of the elements they found favourable and to discard those they disliked.

Finally, the interpretation and application of the convention are the primary responsibility of the parties to the convention. The words or terms which may appear vague, obscure and indeterminate will have their own dynamic and assume concreteness, clarity and determinacy in specific fact situations as relevant authorities assume their roles of interpretation and application. That is the functioning of law in society and it is happening now as we speak.

It is hoped that these clarifications will assist delegations as they seek to further reflect upon the elements in the light of decisions that ought to be made and are necessary to complete our work. Several delegations have reiterated their wish to take advantage of the gathering offered by the General Assembly, in the context of the work of the Sixth Committee, to achieve a concrete outcome in the Fall. It is a goal that the coordinator also shares and it is my hope that together we can achieve such a positive result. The intersessional period will be key to realise the kind of result that is anticipated in the Fall. I urge delegations to continue to be engaged as we move forward.

In conclusion, I would be remiss if I did not thank all delegations for their assistance and cooperation; their willingness to talk and offer ideas has been a source of inspiration and satisfaction.

Thank you.