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FOR BUSH

L. YOU ARE REQUESTED TO TRANSMIT THE FOLLOWING LETTER FROM SECRETARY ROGERS TO SECRETARY GENERAL WALDHEIM. ITS PRINCIPAL PURPOSE IS TO SHOW THAT PRINCIPAL PURPOSE IS TO SHOW THE CONTINUING U.S. INTEREST IN THE PROBLEM OF TERRORISM AND OUR INTENTION TO PLAY A CONSTRUCTIVE ROLE WITHIN THE CONTEXT OF THE WALDHEIM ITEM. WE WOULD LIKE VERY MUCH FOR THIS LETTER TO BE MADE PUBLIC BY YOU. HOWEVER, WE ARE AWARE OF THE CONSIDERATIONS THAT YOU HAVE OUTLINED, INCLUDING WALDHEIM'S OWN VIEWS, WHICH MIGHT MAKE IT UNDESIRABLE FOR THIS LETTER TO BE MADE PUBLIC. THEREFORE, YOU SHOULD ASK WALDHEIM, EMPHASIZING HOWEVER OUR PREFERENCE FOR MAKING THE LETTER PUBLIC. IF, OF COURSE, HE HAS STRONG OBJECTIONS, THEN LETTER WOULD REMAIN IN THE PRIVATE DOMAIN AND WE WOULD DEFER TO HIS VIEWS. HOWEVER, WE WOULD WANT TO BE SURE THAT HE FEELS STRONGLY ON THIS MATTER BECAUSE IF WALDHEIM IS MORE OR LESS RELAXED AND PUTS HIS VIEWS MORE OR LESS IN TERMS OF QTE PREFERENCE UNQTE, OUR PREFERENCE IS THAT IT BE MADE PUBLIC.

2. QTE: DEAR MR. SECRETARY GENERAL:  
THE UNITED STATES WELCOMES YOUR INITIATIVE IN REQUESTING THE INCLUSION IN THE AGENDA OF THE 27TH SESSION OF THE GENERAL ASSEMBLY OF AN ITEM OF AN IMPORTANT AND URGENT CHARACTER ENTITLED "MEASURES TO PREVENT TERRORISM AND OTHER FORMS OF VIOLENCE WHICH ENDANGER OR TAKE INNOCENT

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FORM DS 322A(OCR)

~~CONFIDENTIAL~~

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HUMAN LIVES OR JEOPARDIZE FUNDAMENTAL FREEDOMS." THE TRAGIC SPREAD OF TERRORIST VIOLENCE MOST RECENTLY EVIDENCED BY THE CRIMINAL ATTACKS AT THE OLYMPIC GAMES IN MUNICH CAN ONLY BE HALTED IF ALL MEMBERS OF THE UNITED NATIONS TAKE EFFECTIVE ACTION TO FULFILL THEIR OBLIGATIONS UNDER INTERNATIONAL LAW TO PREVENT THEIR TERRITORY FROM BEING USED BY TERRORIST GROUPS TO ORGANIZE AND PLAN VIOLENT ACTS AGAINST OTHER STATES OR THEIR NATIONALS.

INTERNATIONAL LAW HAS LONG RECOGNIZED AN OBLIGATION OF STATES NOT TO ASSIST, FINANCE OR TOLERATE TERRORIST ACTIVITIES DIRECTED TOWARD THE VIOLENT OVERTHROW OF THE REGIME OF ANOTHER STATE OR TOWARD FOMENTING CIVIL STRIFE IN ANOTHER STATE.

MOST RECENTLY, THE GENERAL ASSEMBLY DECLARED IN THE DECLARATION ON PRINCIPLE OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS {G.A. RES. 2625{XXV}}, ADOPTED ON OCTOBER 24, 1970 THAT:

'EVERY STATE HAS THE DUTY TO REFRAIN FROM ORGANIZING, INSTIGATING, ASSISTING OR PARTICIPATING IN ACTS OF CIVIL STRIFE OR TERRORIST ACTS IN ANOTHER STATE OR ACQUIESCING IN ORGANIZED ACTIVITIES WITHIN ITS TERRITORY DIRECTED TOWARDS THE COMMISSION OF SUCH ACTS, WHEN THE ACTS REFERRED TO...INVOLVE A THREAT OR USE OF FORCE....

'ALSO, NO STATE SHALL ORGANIZE, ASSIST, FOMENT, FINANCE, INCITE OR TOLERATE SUBVERSIVE, TERRORIST OR ARMED ACTIVITIES DIRECTED TOWARDS THE VIOLENT OVERTHROW OF THE REGIME OF ANOTHER STATE, OR INTERFERE IN CIVIL STRIFE IN ANOTHER STATE.'

THE GENERAL ASSEMBLY'S UNANIMOUS REAFFIRMATION OF THESE LEGAL PRINCIPLES CONSTITUTES AN IMPORTANT STATEMENT OF THE CHARTER OBLIGATIONS OF MEMBER STATES. FULL IMPLEMENTATION OF THESE PRINCIPLES BY ALL MEMBERS IS VITAL FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY AND IN PROMOTING AND ENCOURAGING RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

IT IS ALSO IMPORTANT THAT STATES TAKE EFFECTIVE MEASURES TO APPREHEND AND PUNISH INDIVIDUALS WHO HAVE COMMITTED ACTS OF TERRORISM AGAINST INNOCENT PERSONS. AS AN IMMEDIATE FIRST STEP THE UNITED STATES HOPES THAT AS MANY GOVERNMENTS AS POSSIBLE WILL BECOME PARTIES TO EXISTING CONVENTIONS DEALING WITH CRIMES AGAINST CIVIL

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Transmission Sheet

FORM DS 322A (OCR)

~~CONFIDENTIAL~~

PAGE

AVIATION AND WILL EXPEDITE EFFORTS TO ENFORCE THE INTERNATIONALLY ENDORSED PRINCIPLES OF THESE CONVENTIONS. SIMILARLY, THE UNITED STATES BELIEVES THAT THE GENERAL ASSEMBLY SHOULD GIVE PRIORITY ATTENTION TO THE DRAFT ARTICLES PREPARED BY THE INTERNATIONAL LAW COMMISSION ON THE PREVENTION AND PUNISHMENT OF CRIMES AGAINST DIPLOMATIC AGENTS AND OTHER INTERNATIONALLY PROTECTED PERSONS WITH A VIEW TO THE ADOPTION OF A NEW INTERNATIONAL CONVENTION ON THIS SUBJECT AT THE EARLIEST POSSIBLE TIME.

THE UNITED NATIONS CAN PERFORM A GREAT SERVICE BY RECOMMENDING MEASURES TO FULLY IMPLEMENT EXISTING INTERNATIONAL LAW CONCERNING TERRORIST ACTS AGAINST INNOCENT PERSONS AND BY DEVELOPING EFFECTIVE MEASURES FOR THE PROTECTION OF FUNDAMENTAL FREEDOMS AGAINST TERRORIST VIOLENCE.

AGAIN, MR. SECRETARY GENERAL MAY I ASSURE YOU OF OUR DESIRE TO COOPERATE FULLY WITH YOU IN YOUR VERY TIMELY AND CONSTRUCTIVE INITIATIVE.

SINCERELY, WILLIAM P. ROGERS UNQTE

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