

**EGYPT**



**مصر**

Permanent Mission of Egypt  
to the United Nations  
New York

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**United Nations General Assembly  
Sixth Committee  
(79th Session)**

**Statement on Agenda Item 110  
“Measures to Eliminate International Terrorism”**

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**Check against delivery**



Mr. President,

I would like to join other delegates who have congratulated you and the bureau on the assumption of your duties, and I would like to assure you of Egypt's cooperation with you and with all other colleagues to ensure the success of the work of the Sixth Committee this year.

Mr. President,

Egypt aligns itself with the statements delivered by the Republic of Uganda on behalf of the African Group, by the Kingdom of Saudi Arabia on behalf of the Organization of Islamic Cooperation, and by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

My delegation would also like underscore the following four points in its national capacity:

- **First**, Egypt reaffirms – as it has in previous years – the need to conclude a comprehensive convention on combatting terrorism. Such an instrument would enhance international cooperation in the fight against terrorism and address significant legislative and regulatory gaps that continue to hinder effective collective action in this area.
- **Second**, Egypt remains committed to engaging with its international partners to develop effective policy tools to combat terrorism. In this regard, Egypt and the European Union are currently co-chairing the Global Counter Terrorism Forum, which is an important vehicle for developing holistic solutions to address terrorism and its root causes.
- **Third**, Egypt also wishes to make the following observations on the question of the application of the rules of *jus ad bellum* that govern the use of force by States in their international relations to counter-terrorism operations. These observations draw on the recent jurisprudence of the International Court of Justice.
- Specifically, Egypt recalls that paragraph 139 of the 2004 Advisory Opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory stated: “Article 51 of the Charter thus recognizes the existence of an inherent right of self-defence in the case of

armed attack by one State against another State [...] The Court also notes that Israel exercises control in the Occupied Palestinian Territory and that, as Israel itself states, the threat which it regards as justifying the construction of the wall originates within, and not outside, that territory. The situation is thus different from that contemplated by Security Council resolutions 1368(2001) and 1373 (2001), and therefore Israel could not in any event invoke those resolutions in support of its claim to be exercising a right of self-defence.”

- Egypt also takes note of and wishes to highlight paragraphs 23 and 24 of the Declaration by Judge Hilary Charlesworth in the 2024 Advisory Opinion of the International Court of Justice on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.
- In paragraph 23, Judge Charlesworth stated the following: “[I]t is worth recalling that, under customary international law, the population in the occupied territory does not owe allegiance to the occupying Power, and that it is not precluded from using force in accordance with international law to resist the occupation. Therefore, the fact that the population in the Occupied Palestinian Territory resorts to force to resist the occupation does not in itself justify the maintenance by Israel of its occupation.”
- Then, in paragraph 24, Judge Charlesworth affirmed that “it is important to bear in mind the purpose of self-defence: namely, to halt or repel an armed attack until the Security Council takes action. The use of force in self-defence, then, is directed at restoring the situation as it was prior to the armed attack. This purpose distinguishes lawful self-defence from measures that aim to punish the aggressor for the harm inflicted. The latter measures constitute armed reprisals, which are prohibited under international law.”
- These observations do not only apply to the situation in the Occupied Palestinian Territories, but relate generally to the resort to armed force by States in the context of counter-terrorism.
- Fourth, we are all aware that one of the principal issues on the agenda of the Sixth Committee this year is the question of launching negotiations on a treaty on the prevention and punishment of crimes against humanity.



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- I realize this is not the agenda item that we are presently addressing. Nonetheless, Egypt would like to highlight that one of the failures of previous attempts to codify crimes against humanity and also one of the defects of the draft articles adopted by the International Law Commission on this topic is that acts of terrorism were not recognized as a distinct form of crimes against humanity. Recognizing that acts of terrorism that amount to a widespread or systematic attack against a civilian population undertaken with knowledge and in furtherance of an organizational policy could constitute a crime against humanity would provide avenues to bring perpetrators of such acts of terrorism to justice and would also contribute to upholding the rights of victims of such acts. Egypt intends to raise this matter again in further detail under the relevant agenda item.

Thank you.