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BASIC PRINCIPLES OF A CONVENTION ON GENOCIDE

(Submitted by the Delegation of the Union of Soviet Socialist Republics
on 5 April 1948)

I. Genocide, which aims at the extermination of particular groups of the population on racial, national (religious) grounds is one of the gravest crimes against humanity.

The crime of genocide is organically bound up with Fascism-Nazism and other similar race "theories" which preach racial and national hatred, the domination of the so-called "higher" races and the extermination of the so-called "lower" races.

The crime of genocide degrades and besmirches the countries where such crimes are still committed and where their commission is advocated or instigated.

Such crimes are a gross breach of and an insult to the purposes and principles of the United Nations, and are in themselves a most grievous crime against humanity. The campaign against genocide requires all civilized peoples to take decisive measures to prevent such crimes and also to suppress and prohibit the stimulation of racial, national (and religious) hatred and to ensure that persons guilty of inciting, committing or encouraging the commission of such crimes shall be severely punished.

The Soviet Government, recognizing the extreme gravity of the crime of genocide and attributing great importance to action for combating this crime, proposes the conclusion of a convention to this effect which will embody the following basic principles.

II. In the convention the definition of the crime of genocide should be based on the concept that this crime essentially connotes the physical destruction of groups of the population on racial and national (religious) grounds.

The concept of physical destruction must embrace not only cases of direct murder of particular groups of the population for the above-mentioned reasons, but also the premeditated infliction on such groups of conditions of life aimed at the destruction of the group in question.

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III. The concept of genocide must also cover measures and actions aimed against the use of the national language or against national culture (so-called "national-cultural genocide"), e.g.:

- (a) the prohibition or restriction of the use of the national tongue in both public and private life; the prohibition of teaching in schools given in the national tongue;
- (b) the destruction or prohibition of the printing and circulation of books and other printed matter in the national tongues;
- (c) the destruction of historical or religious monuments, museums, documents, libraries and other monuments and objects of national culture (or of religious worship);

IV. The following actions should also be included in the convention as crimes of genocide:

- 1. Attempts to commit genocide;
- 2. The following acts of preparation for genocide:
 - (a) study and research aimed at the elaboration of techniques of genocide;
 - (b) the production of equipment and the manufacture, use, storage or supply of materials or products known to be intended for the commission of genocide;
 - (c) instructions, commands, orders, and the allocation of tasks having as their object the commission of genocide.

V. The convention should establish the penal character, on equal terms with genocide, of:

- 1. Deliberate participation in genocide in all its forms;
- 2. Direct public incitement to commit genocide, regardless of whether such incitement had criminal consequences;
- 3. Complicity or other forms of conspiracy for the commission of genocide.

VI. The convention should make it a punishable offence to engage in any form of propaganda for genocide (the press, radio, cinema, etc.) aimed at inciting racial, national or religious enmity or hatred and also designed to provoke the commission of acts of genocide.

VII. The convention should include as instances of genocide such crimes as group massacres or individual executions on the grounds of race, nationality (or religion); the creation of conditions aimed at the extinction of the groups of people subjected to those conditions, mutilations and biological experiments, the restriction of births by sterilization or compulsory abortion.

VIII. The convention should contain provisions to the following effect:

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(a) states shall be obliged to disband and ban henceforth the existence of organizations, the purpose of which is to incite racial, national or religious hatred and the crime of genocide;

(b) states shall be obliged to make provision in their legislation for the prevention and punishment of genocide and also for the prevention and punishment of incitement to racial, national and religious hatred and provide criminal penalties for the offences mentioned above if such penalties are not enacted in the legal codes now in force in those States.

IX. The convention should state that cases of genocide shall be heard by the national courts in accordance with the domestic legislation of the country.

X. The convention should provide that the signatories to the convention must report to the Security Council all cases of genocide and all cases of a breach of the obligations imposed by the convention, so that the necessary measures may be taken in accordance with Chapter VI of the United Nations Charter.
