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REPORTS OF THE ECONOMIC AND SOCIAL COUNCIL

Question of the punishment of war criminals and of persons who have  
committed crimes against humanity

Note by the Secretary-General

As indicated in the report of the Economic and Social Council covering the period 3 August 1968 to 8 August 1969,<sup>1/</sup> the Council, at its forty-sixth session, on the recommendation of the Commission on Human Rights, adopted resolution 1416 (XLVI), entitled "Question of the punishment of war criminals and of persons who have committed crimes against humanity", in which it recommended to the General Assembly the adoption of a draft resolution on that question. The text of the resolution is annexed to the present document.

<sup>1/</sup> See Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 3 (A/7603), chapter IX, section B, para. 260.

ANNEX

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS 1602nd  
PLENARY MEETING ON 6 JUNE 1969

1416 (XLVI). Question of the punishment of war criminals and of  
persons who have committed crimes against humanity

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft  
resolution:

"The General Assembly,

"Recalling its resolutions 3 (I) of 13 February 1946 and 170 (II) of  
31 October 1947 on the extradition and punishment of war criminals, its  
resolution 95 (I) of 11 December 1946 affirming the principles of  
international law recognized by the Charter of the International Military  
Tribunal, Nürnberg and the judgement of the Tribunal, and its  
resolutions 2338 (XXII) of 18 December 1967 and 2391 (XXIII) of  
26 November 1968 on the punishment of war criminals and of persons who  
have committed crimes against humanity,

"Recalling also the Declarations of 13 January 1942 and 30 October 1943,  
and the 1948 Convention on the Prevention and Punishment of the Crime of  
Genocide, providing for the extradition and punishment of war criminals and  
of persons who have committed crimes against humanity,

"Convinced that the thorough investigation of war crimes and crimes  
against humanity, and the detection, arrest, extradition and punishment of  
persons responsible for war crimes and crimes against humanity, constitute  
an important element in the prevention of such crimes, the protection of  
human rights and fundamental freedoms, the encouragement of confidence,  
the furtherance of co-operation among peoples and the promotion of  
international peace and security,

"Noting that a number of States have already signed the Convention  
on the Non-Applicability of Statutory Limitations to War Crimes and Crimes  
against Humanity, a/

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a/ See General Assembly resolution 2391 (XXIII), annex.

"1. Calls upon all the States concerned to take the necessary measures for the thorough investigation of war crimes and crimes against humanity, as defined in article I of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and for the detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought to trial or punished;

"2. Invites States concerned which have not yet signed or ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity to do so as soon as possible;

"3. Expresses the hope that States which have been unable to vote for the adoption of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity will refrain from actions running counter to its main purposes;

"4. Again calls upon States which have not yet become Parties to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide to do so as soon as possible;

"5. Draws attention to the special need for international action in order to ensure the prosecution and punishment of persons guilty of war crimes and crimes against humanity;

"6. Requests all States Members of the United Nations and members of the specialized agencies to submit to the Secretary-General information on the measures taken by them in implementation of this resolution;

"7. Requests the Secretary-General to submit to the General Assembly at its twenty-fifth session a report on progress in the implementation of this resolution;

"8. Decides to consider the question of further measures to ensure the extradition and punishment of war criminals and persons who have committed crimes against humanity as a priority item at its twenty-fifth session."

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