

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1985/SR.26
27 February 1985

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Forty-first session

SUMMARY RECORD OF THE 26th MEETING ^{3/}

Held at the Palais des Nations, Geneva,
on Thursday, 21 February 1985, at 3 p.m.

Chairman: Mr. CHOWDHURY (Bangladesh)
later: Mr. KHMEL (Ukrainian SSR)

CONTENTS

Organization of the work of the session

Measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences (continued)

^{3/} The summary record of the second part of the meeting is contained in document E/CN.4/1985/SR.26/Add.1.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.85-15375

The meeting was called to order at 3.25 p.m.

ORGANIZATION OF THE WORK OF THE SESSION

1. Mr. CHAGULA (United Republic of Tanzania) recalled that his delegation had already put a question to the Assistant Secretary-General for Human Rights concerning the presence of observers from South Africa at meetings of the Commission. South Africa was not officially included in the list of Member States represented by observers at the session. The Assistant Secretary-General had replied that he would consult the Legal Counsel and would give an answer later. The question had also been raised since by the USSR delegation. Two weeks had already elapsed since his delegation had initially asked its question; it was to be hoped that the Assistant Secretary-General would be able to give a reply as soon as possible.
2. Mr. HERNDL (Assistant Secretary-General for Human Rights) said that the status of observer had not been granted to South Africa under rule 69 of the Rules of Procedure; South Africa had not requested that status. Under rule 69, it was for the Commission to grant that status or not to do so. With regard to the right of South Africa to attend public meetings of United Nations organs, it was clear from the legal advice obtained that, under rule 39 of the Rules of Procedure of the Functional Commissions of the Economic and Social Council, the meetings of those bodies were public, unless they decided otherwise. All Member States could have representatives attend those meetings, without requiring authorization, and the necessary facilities should be granted to them to do so.
3. Mr. CHAGULA (United Republic of Tanzania) said that his delegation took note of the Assistant Secretary-General's statement and would comment on it after studying it.
4. Mr. SOFINSKY (Union of Soviet Socialist Republics) said he would like to know who had issued to South Africa's representatives the pass usually issued to representatives accredited to the United Nations Office at Geneva to enable them to attend meetings.
5. Mr. HERNDL (Assistant Secretary-General for Human Rights) noted that public meetings of the Commission were open to all persons wearing a badge issued by the Secretariat of the United Nations Office at Geneva. All members of permanent missions accredited to the Office had access to the meeting rooms upon presentation of that badge or an identity card confirming their accreditation. As was known, there were five types of documents providing access to the meeting rooms, including the carte de légitimation issued to all representatives of all Member States.
6. Mr. SOFINSKY (Union of Soviet Socialist Republics) said he had noted in the statement by the Assistant Secretary-General that the status of observer had not been granted to South Africa and that it had not requested that status. He would like to know what would have happened if South Africa had requested that status.
7. Mr. HERNDL (Assistant Secretary-General for Human Rights) said that rule 69 (1) of the Rules of Procedure applied in that case.

MEASURES TO BE TAKEN AGAINST ALL TOTALITARIAN OR OTHER IDEOLOGIES AND PRACTICES, INCLUDING NAZI, FASCIST AND NEO-FASCIST, BASED ON RACIAL OR ETHNIC EXCLUSIVENESS OR INTOLERANCE, HATRED, TERROR, SYSTEMATIC DENIAL OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, OR WHICH HAVE SUCH CONSEQUENCES (agenda item 21) (continued)
(E/CN.4/1985/52)

8. Mr. SYTENKO (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, affirmed that the United States of America tolerated Nazi organizations and protected Nazi war criminals on its territory. Those were not gratuitous accusations: the facts entirely confirmed them. First of all, of 140 persons convicted by United States courts between 1976 and 1982 for having committed serious crimes on the territory of the Soviet Union, only seven had been stripped of United States citizenship, and none had been handed over to the Soviet Union. After the Second World War, the United States had admitted and protected more than 5,000 Nazis whose extradition for war crimes had been applied for by the USSR, Czechoslovakia, Hungary, Bulgaria, the German Democratic Republic, Romania, and Yugoslavia.

9. According to Mr. Allen, a United States researcher who had conducted an investigation into the past of Nazi war criminals having found refuge in his country, those criminals and their subordinates had been responsible for the deaths of 2.4 million people during the Second World War, in particular elderly persons, women and children. Mr. Allen had written that the presence and use of Nazi criminals was directly linked to his country's foreign policy, the cold war policy.

10. In addition, Nazi methods had been adopted in the armed forces of the United States, particularly its special forces, and former Nazi propaganda experts had been used to slander the Soviet Union, in particular in programmes broadcast by the notorious "Radio-Free Europe". The United States secret services had played a very important part in bringing about the admission to Chile, under the Pinochet régime, of Walter Rauff, inventor of the mobile gas chamber and responsible for the deaths of 200,000 persons in the USSR, Poland and Yugoslavia. Furthermore, seven Nazi war criminals continued to occupy important posts in the United States secret services, the Pentagon and the State Department. In 1983, a court at Newark, New Jersey, had acquitted the war criminal Kurgis, responsible for massacres in Lithuania.

11. A recent, glaring example of the United States authorities' indulgence towards Nazi war criminals was the permission given by the Department of Justice to the war criminal Rudolf to go to the Federal Republic of Germany, although he was responsible for the deaths of tens of thousands of persons in the Dora Camp during the Second World War. That had made it possible to avoid criminal proceedings against him. In conclusion, his delegation called for an end to the protection of Nazi war criminals in the United States of America.

12. Mr. SHIFTER (United States of America), speaking in exercise of the right of reply, said he wished to set out the facts behind the comments by the representative of the USSR, which might not be known to all. After the Second World War, the United States Congress had adopted a law authorizing the immigration of hundreds of thousands of displaced persons living in very difficult conditions in Europe. Not all those persons had been thoroughly investigated, and of the hundreds of thousands, a few had been war criminals, guilty mainly of murdering Jews in Eastern Europe. Those war criminals had subsequently been able to merge into the population of the United States, since it did not have the type of system for

investigating individuals that was applied in some others. A few years previously, however, a special investigation bureau had been set up in the Department of Justice to carry out inquiries; they had disclosed the presence of a number of persons who might be guilty of war crimes. Consequently, those persons had been prosecuted and punished.

13. Mr. SAID (Libyan Arab Jamahiriya) recalled that the Second World War, which had cost the lives of millions of human beings, had been caused by racism, hatred and a desire to deprive certain peoples of their freedom. At present, 40 years later, one might well ask what had been done to prevent the root causes of the Second World War - racial intolerance, totalitarian ideologies and practices, violations of human rights - from producing a similar situation once again. His country had suffered under Mussolini's Fascist army. Libyans had been imprisoned in concentration camps and dispossessed of their property; the war had brought about the destruction of entire agricultural regions.

14. His country had maintained its efforts to support the cause of the freedom of peoples and their development, in a world in which there continued to exist oppressive régimes encouraged by countries which, nevertheless, claimed to belong to the free world. Today, the activities of neo-Nazi and neo-Fascist forces were gathering strength, despite the measures taken in the United Nations. Special mention should be made of the Zionist danger, which was becoming more serious despite numerous resolutions adopted by the General Assembly condemning the actions of the Zionist entity. In its resolution 3379 (XXX), the General Assembly had taken the view that Zionism was a form of racism and racial discrimination. One must ask what had been done to give effect to that resolution, and to implement the decisions taken in favour of practical measures of support for the Arab people, especially the Palestinians, who were fighting against Zionist domination.

15. The racist and totalitarian régimes of the Zionist entity and of South Africa would not have survived without the unreserved support of certain States which defied the international community and encouraged the resurgence of neo-Nazi and neo-Fascist activities. Pointing out that the General Assembly had called for the adoption of measures against totalitarian ideologies and practices, he said that the United Nations and other international organizations should spare no effort to combat those ideologies and to ensure that they were eliminated.

16. Mr. RAVENNA (Argentina), recalling the concern expressed by the Commission in its resolution 1984/42 on the subject of totalitarian ideologies and practices, and General Assembly resolution 39/114 on that question as well, stressed the adverse effects of the so-called "national security" doctrine. It was an ideology which arose from a bipolar vision of the world, in which two concepts of life were in conflict, that of the East and that of the West. According to that view, the democratic system was weak because "national security" had priority over fundamental human rights and the duty of States to work for the common good. That security was said to be threatened by enemies both at home and abroad; thus, any strike or show of opposition to the régime was viewed as support for the enemy. Allegedly, to ensure domestic peace, it was necessary to erect a strong and non-participatory State. The security forces assumed the task of ensuring "national security", and they personified the State.

17. The inevitable consequence of such an ideology, which often used the pretext of an internal crisis, was disregard for democratic institutions, militarization of society and rejection of the principle of the separation of powers. The legislative and judicial powers were subordinate to the executive, itself controlled by a military hierarchy which generally assumed constituent authority. In the

economic sphere, that ideology from the contemporary principles of the right to development and of a new and more equitable international economic order, and, instead, an economic model which favoured an international division of labour that was unjust towards the developing countries and which in fact served the major centres of economic power. In the legal field, it was associated with the proclamation of states of emergency, which, manipulated by it, allowed all forms of arbitrary action, thus creating insecurity among the population. That authoritarian and anti-democratic ideology had been imposed at one time or another on many Latin American countries.

18. His delegation called on the Commission to pay particular attention to the doctrine of "national security". Argentina had suffered greatly in the recent past from an oppressive régime founded on that doctrine, which had destroyed the national economy, greatly impoverished the people, been responsible for the "disappearance" of thousands of persons and caused many others to be persecuted, imprisoned or exiled. His delegation therefore urged that that ideology should be included among the totalitarian ideologies and practices referred to in Commission resolution 1984/42.

19. Mr. VARKONYI (Observer for Hungary) noted that the Commission was considering a particularly important issue, inasmuch as there were still some countries which had recourse to the theory of racial superiority in order to justify neo-colonialism and the economic exploitation of indigenous populations, despite all the efforts of the international community. Through racism, certain groups exploited other peoples or nations, which were thus maintained in an inferior social and economic position, and deprived of their fundamental rights. In many countries, migrant workers and their families endured such a situation. Furthermore, anachronistic factions disseminated Fascist and racist ideologies unchecked, which made them even more dangerous.

20. In 1985, the fortieth anniversary of the conclusion of the Second World War and of the victory over fascism, atrocities and systematic violations of human rights and fundamental freedoms, which had been inherent features of nazism and fascism, were still being committed in some countries. It was extremely disquieting that political parties which played on racial hatred and xenophobia, the main features of fascism in the 1920s, 1930s and 1940s, had recently gained ground, even in some highly developed countries. The terrible price that mankind had had to pay during the Second World War as a result of underestimating or ignoring the danger of Nazi and Fascist ideologies must not be forgotten.

21. It was therefore crucial that the rising generations should no longer experience hostility or racial or ethnic hatred, but should be imbued with respect for all human values. Therefore, educating young people against inhuman ideologies and practices such as nazism, fascism, neo-fascism, racism and racial discrimination was an integral part of Hungarian school programmes, at both primary and secondary levels. The principles of equality of peoples and nations were also taught and the students were made aware of UNESCO's activities to promote international understanding. The relevant international instruments were studied in secondary schools and universities. It was the duty of the international community to take action in the sphere of education as well, in order to promote international understanding and peace.

22. Mr. Khmel (Ukrainian Soviet Socialist Republic) took the Chair.

23. Mr. LE DINH CAN (Observer for Viet Nam) said that the item under consideration, on which his Government had already submitted its comments in accordance with General Assembly resolution 38/99, was of great importance on the eve of the

fortieth anniversary of the victory of the Allies over nazism and fascism and in view of the resurgence, in certain countries, of activities drawing more or less freely on Fascist or neo-Fascist ideologies and racial discrimination. In a powerful country which claimed to be a model of democracy, influential circles advocated the policy of the use of force, even nuclear force, sought to institutionalize terror and hatred, and glorified war, adventurism and armed intervention against other States. It was no accident that racial segregation and criminal actions by the Ku Klux Klan and by an overtly national-socialist party were increasing in that country; that former war criminals found protection there; and that those activities were justified by invoking the "fight against Marxism", which recalled the slogans of the Axis against the Comintern in the 1940s.

24. For every Klaus Barbie brought to trial, the media revealed many other cases, in Western Europe, of war criminals who had been found guilty or who would have been condemned by the Nuremberg Tribunal but enjoyed impunity, even honours; not to mention the ceremonies held in memory of the Führer, the Duce and their associates.

25. In Asia, the memory of Fascist war leaders was publicly honoured, history was rewritten, and a veil of silence was drawn over criminals guilty of the worst genocide in history. The bombs dropped on Hiroshima and Nagasaki and the atrocities of the wars in the 1930s and 1940s were overlooked, and the theories concerning a "Greater Asia" and the idea of a shared leadership with the great strategic ally across the Pacific were once again finding favour. The increasing collusion with chauvinism, of imperialist and formerly Fascist forces, was particularly disquieting.

26. In southern Africa, the Middle East and Central America, apartheid, zionism and certain military dictatorships had adopted the teachings of nazism and fascism of earlier days, advocated racial superiority and made use of brute force and terror to impose their régimes. It was not fortuitous that those countries found their natural protector in the great strategic ally. Numerous delegations, including his own, had already provided abundant evidence of that.

27. All those activities constituted massive violations of human rights within and outside the frontiers of the country in which they were rife, and, first and foremost, the rights to life and to self-determination. As they also represented a serious danger to international peace and relations among States, they should be severely condemned by the international community. The Vietnamese people, itself a victim of fascism in the 1940s and still confronted with similar ideologies, wholeheartedly endorsed the General Assembly resolutions in that field. More specifically, Viet Nam considered that war propaganda should be punishable under both national law and international law, that apartheid, zionism and racial discrimination should be condemned and punished and doctrines of racial superiority and the pretension of giving advice to other countries denounced. International co-operation should also be stepped up in order to detect and punish persons guilty of committing war crimes and crimes against humanity.

28. In all countries, particularly where such practices were common, judicial and legislative measures should be taken as soon as possible to prevent the resurgence of fascism and neo-fascism and to disperse groups which based their activities on them. The General Assembly, the Commission and other competent organs of the United Nations system should work unremittingly for the eradication of such ideologies and practices and the final elimination of war.

29. His delegation endorsed the Commission's recommendation concerning the celebration on 8 and 9 May 1985 of the fortieth anniversary of the victory over fascism by the Allies and the forces of peace, including the German resistance and, above all, the Soviet people, whose sacrifices and decisive role could never be minimized. That victory of world-wide significance had encouraged the growth of liberation movements and enabled the colonial peoples of Asia, particularly in Indonesia, Burma, Viet Nam, Laos and Kampuchea, to achieve independence. The anniversary would provide an opportunity of the highest importance for mobilizing world-wide efforts to combat Fascist theories and practices and war propaganda, to avert nuclear war and to preserve world peace. The United Nations system in its entirety, specialized agencies and intergovernmental and non-governmental organizations should strive to achieve the purposes of the Charter.

30. Mr. ZAWALONKA (Observer for Poland) said that totalitarian ideologies and practices, particularly fascism in its most degenerate form, German nazism, had caused the death of more than 50 million persons. That fact must never be forgotten, particularly since the United Nations had emerged from the struggle against those ideologies founded on brutal subjugation, massacres and slavery. Fascism had become the embodiment of hatred for mankind, moral principles, democracy and communism. It had institutionalized racial inequality and the right of one nation to dominate others and had proclaimed the most evil ideas. The German variation of fascism, nazism, had created a system of destruction which had led tens of millions of persons to the crematoria.

31. The current year marked the fortieth anniversary of the victory over Nazi Germany, achieved to a major extent thanks to the Soviet Union. During the Second World War, Poland had suffered the heaviest losses in proportion to its population and the Poles had fought against Nazi Germany with unyielding determination from the first to the last day of the war. His delegation was therefore particularly well qualified to speak about the threat posed by all forms of totalitarian ideologies. Human rights and peace were indivisible and those who were concerned about human rights should do everything in their power to prevent war. However, although the socialist countries spared no effort to achieve global disarmament, they were hampered by the lack of goodwill on the part of certain States. The opportunity offered by the fortieth anniversary should be taken to consider realistically the threat posed by the arms race, especially the nuclear arms race.

32. Present day reality frequently showed that it was wrong to speak of fascism in the past tense. Indeed, there were in many Western countries Fascist organizations whose members wore Nazi-style uniforms, terrorized minorities and provoked confrontation with members of progressive organizations. One of the favourite tenets of Neo-fascism involved questioning the territorial status quo in Europe and the validity of the relevant international treaties, sometimes even with the support of the authorities.

33. To combat all forms of fascism and other totalitarian ideologies and practices, it was essential to arrest and bring to trial the large numbers of war criminals who occupied responsible posts and enjoyed numerous privileges. It was difficult to understand how the authorities of certain States could tolerate their presence. Since fascism meant war, it was essential, in order to preserve the peace, to spare no efforts to prevent the emergence and evolution of totalitarian ideologies and practices. The Commission, which had been considering the item since its twenty-eighth session in accordance with General Assembly resolution 2839 (XXVI), had condemned all those ideologies and practices once again the previous year. It was also essential that all Member States which had not yet done so should accede to the conventions drawn up by

the United Nations with a view to combating those dangerous phenomena. Poland spared no effort in its bilateral and multilateral relations to make everyone aware of the threats involved. To attack the very roots of the phenomena, it had submitted, inter alia, the Declaration on the Preparation of Societies for Life in Peace, adopted by the General Assembly in 1978, which proclaimed that every nation and every human being had the inherent right to live in peace. His delegation would be prepared to co-sponsor a draft resolution which would reflect its views on the other measures that should be taken.

34. Mr. de SOUZA (France) said that his country, which had been a casualty of nazism and fascism during the Second World War and which prided itself upon a tradition that went back almost two centuries of fighting for human rights, attached great importance to a discussion whose scope was commensurate with the atrocities committed in the twentieth century in the name of totalitarian ideologies. The fortieth anniversary of the victory over nazism and fascism was an opportunity to recall that the Second World War had resulted from those ideologies, to denounce the crimes committed in their names and to honour the memory of those who had been their victims as well as those who had fallen while fighting against them. It provided, lastly, an opportunity to celebrate that victory of human rights over arbitrary conduct and to give further thought to the phenomenon of totalitarian ideologies.

35. His delegation could only welcome the progress made since 1945 in human rights questions by the former Axis Powers, whose peoples had regained their dignity and the esteem of the international community and whose leaders had been able, with the assistance of the Allied Powers, to direct their countries towards prosperity and peace. Other Mediterranean Western European countries which had not been directly involved in the conflict, had also chosen the path of genuine democracy, which was concerned with human values and freedom.

36. To prevent the resurgence of nazism and fascism, it was essential to denounce not only their most obvious expressions but also their insidious forms and, to that end, to analyse the common characteristics of those doctrines and the manoeuvres by which their instigators had been able to seize and pervert power. Human rights had an individual content and were exercised within the collective framework of society. When the balance between the rights of the individual and his duties towards others and the community was upset, human rights were endangered. That was what had happened in the past and still happened when totalitarian ideologists disturbed that balance by denying human rights, subordinating them to the group, and succeeded in setting up for the latter a truly "exclusive" and coercive system. The "exclusive" system which characterized totalitarian ideologies systematically eliminated persons not belonging to the group or not having the same ideas as it, tolerated no opposition and punished it brutally. That was how nazism had eliminated its opponents.

37. Modern totalitarianism utilized methods which were sometimes more subtle but equally blameworthy, pursuing and persecuting those who sought to exercise the right to freedom of expression embodied in the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights in order to express an opinion different from that of the leaders.

38. Furthermore, totalitarian régimes were postulated on the primacy of an ideology which sought to organize a person's life in all its aspects (political, economic, social, family matters, cultural, social and spiritual). One might recall Goebbels' control over culture. One might also remember the readiness of the Nazi régime to interfere in all areas of intellectual and artistic life in order to control it, its rejection of "decadent" aestheticism and its desire to develop a "naturalist" art. By prohibiting the flow and development of ideas, totalitarianism made the triumph of the official ideology possible. One might also recall Mussolini's attempts to manufacture "the Fascist man" and the atrocities committed a few years previously in another part of the world, where the leaders had tried to liquidate part of the population in order to erase all traces of the past. Those were the two fundamental elements characteristic of totalitarian régimes.

39. It was also worthwhile to examine the methods whereby the proponents of such ideologies seized power. History showed that totalitarian régimes had come about only through the systematic use of force, falsification of the truth, and centralized control of all entities of political, economic, social and cultural life. First, uninterrupted control of the media, day-by-day censorship, indoctrination and propaganda had made it possible and still made it possible to subjugate and mislead a section of public opinion. Because of censorship, all kinds of infringements of human dignity could be committed, since it became possible to disregard not only man but also his history and work. Centralized control was the main method of action in totalitarian régimes, which utilized two well-known techniques: combining political parties, trade unions and associations in a single movement, and then "infiltrating" those movements, by force if necessary.

40. It would be recalled that in 1933 Nazi Germany had dissolved the political parties and trade unions, the Nazi Party becoming the only authorized party. Six months after Hitler's assumption of power, only Nazi associations remained, and those who wished to work had had to pledge allegiance to the régime.

41. With a deeper knowledge of the characteristics of totalitarianism, it was possible to discern the risk of resurgence of the phenomenon. Vigilance was also necessary vis-à-vis any ideology that sought to establish an "exclusive" system, and one must be alive to the dangers of the systematic utilization of the methods of government to which he had already referred. The régimes which used those methods, even sporadically, carried within themselves the seeds of such dangers, since centralized control of all activities might easily degenerate into totalitarianism and dictatorship. Power became totalitarianism as soon as it was placed in the service of an ideology which tried to establish the absolute primacy of the group over the individual. Those régimes were even more blameworthy when like nazism, their ideology was based on the so-called superiority of one race.

42. No country, whatever its political régime, could claim to be completely safe from totalitarian ideologies or practices. Nor was the existence of a particular type of socio-economic organization effective protection against that evil, the principal cause of which was not economic in nature. It was essential to remain on one's guard and to combat such phenomena, first of all, by respecting human rights and fundamental freedoms, particularly the pluralism of ideas and freedom of expression. It was therefore necessary to adopt legislative and regulatory measures aimed at preventing ideologies and practices based on terror, racial discrimination or hatred from spreading.

43. French legislation had for many years contained provisions along those lines. The Act of 1 July 1972 made it possible to prosecute anyone who incited acts of discrimination, hatred or violence against a person or group of persons because of their origin or because they belonged to a particular ethnic group, nation, race or religion. Education was also essential and there would be fewer manifestations of hatred, contempt or rejection of others if care was taken to inculcate in youth a recognition of the "right to be different". Failure to observe that principle had led to occurrences of which nazism and fascism were only one aspect.

44. France categorically rejected the immoral nature of the action of any group or power which tried to base its domination on exclusiveness or intolerance. It was appropriate, first and foremost, to comply with the principles of the Charter, the International Covenants on Human Rights and other instruments of the United Nations system, which unequivocally condemned all forms of intolerance and all infringements of the fundamental human freedoms.

45. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic) recalled that on 9 May 1985 the world would mark the fortieth anniversary of the victory over the Fascist forces of Hitler, who had set himself the goal of destroying the leading socialist State in the world and of extending his supremacy to the entire world. The Byelorussian delegation did not forget the fact that the Second World War had caused the death of many millions of people, including 20 million in the Soviet Union.

46. That was why his delegation could not remain indifferent to the resurgence of Nazi, Fascist and neo-Fascist ideologies and practices, which constituted a serious threat to the enjoyment of human rights and fundamental freedoms in the countries where they occurred and, consequently, international peace and the security of peoples. It therefore welcomed the adoption by the General Assembly of resolution 39/114.

47. Nazi, Fascist and neo-Fascist groups and organizations had several features in common: the cult of brute force; exacerbation of hatred between peoples, used for selfish interests; total contempt for the freedom of other countries. Their activities - propaganda, terrorism and the glorification of Fascist régimes - frequently carried out with the tacit agreement of over-indulgent authorities, must inevitably give cause for serious concern, because they were incompatible with the spirit and letter of the Charter of the United Nations and the international human rights instruments, and because they implicated mainly young people. Measures must therefore be taken to bring them to an end.

48. One must begin by punishing war crimes and crimes against peace and humanity; that was a universal commitment for all States, as reaffirmed by the General Assembly in its resolution 39/179 and more recently in resolution 39/114, since too many Fascist hangmen were still at large and leading an untroubled existence, as everyone knew; that was also a duty towards the victims of fascism and militarism, a duty whose fulfilment should also serve as a warning to aggressors and revanchists, who were unwilling to learn from history.

49. His delegation could not accept statements to the effect that to react against Nazi, Fascist and neo-Fascist practices and ideologies was tantamount to violating certain fundamental principles, such as that of the freedom of expression and association. Such statements were dangerous and could only encourage the activities of neo-Fascist groups. Naturally, freedom of speech and association must be guaranteed, without, however, infringing the rights and freedoms of others.

50. The peoples of the United Nations should not yield to contemporary Nazi, Fascist and neo-Fascist practices and ideologies; the Commission was duty bound to expose criminal activities and to ensure that they were duly punished.

51. Mr. BAYART (Observer for Mongolia) said that the importance of the item under consideration was clear to everyone on the fortieth anniversary of the victory over fascism and militarism, won by the Soviet Union and to which Mongolia had contributed. The Second World War had been cruel and deadly, and therefore all peoples and Governments should draw on the experience of the past and unite their efforts to avert a further war, which would be particularly destructive, since it would be a nuclear conflict.

52. Regrettably, one was compelled to conclude that, at the present time, there were many countries throughout the world where racist, Nazi, Fascist and neo-Fascist organizations held sway, régimes opposed to détente and favourable to the arms race, and totalitarian régimes which reigned through terror, violence, racism and militarism. That was the case in Chile, South Africa, and South Korea.

53. The Commission therefore had a duty to take tangible and positive measures against all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which had those consequences. His delegation stressed that the Commission should not accept statements such as those made by the delegations of the United Kingdom and the United States of America, in an attempt to divert the Commission's attention from its task.

54. His delegation drew the Commission's attention to the Declaration on the Right of Peoples to Peace, which the General Assembly, on the proposal of Mongolia, had adopted through its resolution 39/11. The Declaration constituted a suitable legal basis for the maintenance of peace in the world, a sacred right of peoples which must be defended. It was to be noted in that regard that there was an organic link between the right to peace and the international obligations of States, which were called upon to defend the interests of their peoples and which should therefore do everything in their power to remove the threat of war, particularly nuclear war, and to avoid the use of force in international relations. In that sense the adoption of the Declaration on the Right of Peoples to Peace constituted an important step forward.

55. Mr. DICHEV (Bulgaria) stressed that the consideration of the item under review was of particular significance on the occasion of the fortieth anniversary of the victory over fascism and nazism, which had concluded the Second World War. It was impossible to forget the tragedy of that war, particularly since the sinister experience of fascism and nazism had profoundly traumatized the survivors.

56. The United Nations, which had in fact emerged from the struggle against fascism, nazism, aggression and foreign occupation therefore had a duty, in tribute to the many millions of known and unknown victims, to remain vigilant and determined to prevent a repetition of such a tragedy: it had a duty to carry out the mission entrusted to it to maintain international peace and security. That mission could only be accomplished through the development of international co-operation, and his delegation therefore welcomed the adoption by the General Assembly of resolution 39/114 and the adoption by the Commission of decision 1985/102.

57. Bulgaria was guided by three principles. Firstly, the total elimination of fascism and nazism in all their forms and manifestations was related to the purpose proclaimed in the Charter of the United Nations, which was "to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind". Secondly, there was an urgent need to abolish all Nazi, Fascist or neo-Fascist groups and organizations, wherever they existed. Thirdly, nazism and fascism in all their forms and manifestations could be eliminated only through effective international co-operation developed in international peace and security. Those guiding principles were also confirmed by the principles of international law, recognized in the charter and in the Judgement of the Nuremberg Tribunal. They were also confirmed by a number of international instruments, in particular the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid, and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, as well as General Assembly resolutions 2839 (XXVI), 35/200 and 39/114.

58. Unfortunately, the fact remained that the threat of fascism, neo-fascism and other similar ideologies and practices had not disappeared. Some countries had Fascist or Fascist-like régimes, which were based on terror, hatred, aggression and repression and which were characterized by extreme right-wing conservatism, ardent nationalism, fierce anti-communism, racial hatred and an absurd desire to gain absolute control over capital, reminiscent of the end of the 1930s. That dangerous reality confirmed the validity of the definition which Georgi Dimitrov, the eminent Bulgarian anti-fascist had given of fascism in power 50 years previously, as being "an open terrorist dictatorship of the most reactionary, most chauvinistic and most imperialistic elements of finance capital".

59. His delegation was deeply concerned about those ideologies and practices which had been given the status of policies and assumed such proportions that the international community must take immediate measures to bring them to an end: cases in point were the practices of the Pretoria racist régime in southern Africa, of the Israeli authorities in the occupied Arab territories and of the fascist Junta in Chile.

60. The continuing assistance provided by imperialist countries to those régimes was an equally alarming phenomenon. The moralizing stance adopted by some imperialist circles, and which was at variance with their domestic and foreign policies had had two harmful and dangerous consequences. Firstly, as a result of their failure to guarantee the exercise of the basic rights of a large part of their population, the supporters of the system responsible for that failure were still anxiously trying to find a solution. Since it was impossible for them, because of the way the system worked, to eliminate the profound social injustices which gave rise to hunger, poverty, unemployment and inflation, they sought a solution elsewhere. Thus, they invented an incarnation of evil to stir up chauvinism and xenophobia: they set a particular section of the population against another. It was therefore not surprising that an upsurge in racist sentiments and simplistic patterns of perception of the outside world were acquiring disturbing proportions in some imperialist countries. Secondly, faced with the general indignation caused by their policy of aggression, which was based on ignorance, suspicion, even hatred, the imperialists had been forced to change their image. Thus, they were currently conducting a campaign designed gradually to distort recent history, contemporary international life, and even language. For example, in historical accounts of the Second World War, the Munich Agreement was deliberately omitted; the support given to a racist régime was characterized as "constructive

engagement"; an undeclared but devastating war against a sovereign State was called a struggle "for freedom and democracy".

61. Therefore, far from contributing to maintain international peace and remove the threat of a nuclear holocaust for either the present or succeeding generation, that atmosphere bred tension, distrust and ultra-conservatism, thus promoting the continuing proliferation of neo-Fascist groups and organizations which took advantage of the incompetence, and even the assistance, of certain official imperialist quarters in order to carry out their dangerous terrorist activities. The existence, proliferation and internationalization of those groups and organizations were inherent in the very nature of imperialism.

62. Moreover, there were countries which generously gave war criminals asylum and assistance. That was not only a violation of international commitments but also an inadmissible betrayal of many millions of persons who had lost their lives fighting against nazism and fascism and whose sacrifice had made it possible to free peoples from Fascist occupation, to give a decisive impetus to the national liberation movements and to hasten the collapse of the colonial system. It was therefore important to encourage countries which had not yet done so to ratify without delay the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity.

63. Whereas it was the duty of the Commission to adopt concrete measures to fight against inhuman and racist ideologies and war propaganda, to condemn once again all relevant ideologies and their practices, including nazism, fascism and neo-fascism, which were based on racial or ethnic exclusiveness or intolerance, hatred, terror, or systematic denial of human rights and fundamental freedoms, some delegations strove constantly to distort the meaning of that task and to minimize its importance. They certainly did not have the right to divert the Commission from its duty by indulging in misinterpretations incompatible with the criteria already established. He was referring in particular to the worn-out lecture on totalitarianism, as opposed to the virtues of the so-called "open" or "pluralistic" society. Indeed, that type of society was open to the emergence and proliferation of Nazi, Fascist and other ideologies and practices. How could it be characterized as "democratic"? And, conversely, how could one describe societies which unanimously rejected totalitarian or other ideologies and practices in all their forms and manifestations as "totalitarian"? How was it possible to justify that doctrine, which was not only incompatible with international law and international instruments but also contrary to common sense? Indeed, the supporters of that doctrine had become victims of their own imagination. He stressed that "totalitarianism" as such presupposed social machinery the ultimate aim of which was to ensure the monopolistic rule and privileges of finance capital using all possible means, including the oppression of peoples, aggression, exploitation and flagrant violations of the right of peoples to self-determination. That was the essence of "totalitarianism", the most concrete and dangerous expressions of which were nazism and fascism.

64. His delegation would like the Commission to adopt a resolution stressing the great importance of the victory over nazism and fascism, on the occasion of the fortieth anniversary of that victory, and appealing to the international community to intensify its efforts against the existence and proliferation of Nazi and Fascist-like ideologies and practices in order to maintain and strengthen international peace and security.

65. Mr. SHAHABI SIRJANI (Observer for the Islamic Republic of Iran) said that imperialism and the quest for ever greater control in the economic, political and cultural fields constituted the basis of contemporary neo-colonialism, the predominant manifestation of which was totalitarianism, directed in particular against third world countries. The Muslim countries had certainly not been spared, but, guided by the teachings of Islam, they had successfully withstood the onslaughts of the forces of neo-colonialist aggression.

66. The imperialist and neo-colonialist forces of the United Kingdom and Tsarist Russia, in particular, had tried to invade the Islamic countries under various pretexts, turning the Ottoman Empire into a field of rivalries and conspiracy.

67. The objective of one of the best known conspiracies of the imperialists in that regard had been to promote sectarianism and to create divisions in the Muslim ranks. The emergence of a large number of existing beliefs and concepts in the Islamic countries also dated from that period (such as zionism, babaism, baha'ism and kasravism).

68. Sheikh Ahmad Ehsaee, who had launched a new school of thought called Sheikhia, had laid the groundwork for the misuse by imposters who had omitted two concepts, namely "resurrection" and "justice", and had introduced the belief in the existence of a direct link between the Imam and the people during the Imam's absence. After the death of Sheikh Ahmad Ehsaee, his disciple, Sayed Kazem Rashti had attempted to propagate his ideas, thereby gradually increasing the gap between the mullahs of the new sect and those of shi'ism. Sayed Kazem Rashti, who, according to many historians, was not from Rasht but from Vladivostok in Russia, and was a political agent of the Russian Government, had had in his class a young man from Shiraz, named "Mirza Ali Mohammad".

69. After Sayed Kazem's death, Ali Mohammad Shirazi had attracted some people around himself in Iraq. Among his disciples there had been a man by the name of Sheikh Issa Lankarani whose real name, according to his own confession, had been Kiniaz Dolgorouki and who had been a translator in the Russian Embassy at Teheran. He had then gone to Russia and, upon his return to Iran, had introduced himself as a Muslim by the name of Issa Lankarani. Wearing clerical attire, he had gone to Iraq on an intelligence mission for his Government to gather information on what was taking place in the religious teaching centres in Iraq. There, he had attended classes given by Ali Mohammad Shirazi, who claimed to be the deputy of the absent Imam Mahdi. That same person (with the fictitious name of Sheikh Issa) had been sent subsequently to Teheran as the Russian ambassador; at the time, he had supported the Baha'i movement in Iran and, according to admissions by Baha'is had brought about Baha's release from prison.

70. Ali Mohammad Shirazi's psychological disorder, his great ambitions, the instigations by Sheikh Issa (Dolgorouki) and the circumstances created by Sayed Kazem Rashti had all led Ali Mohammad to proclaim himself the justice-administering world saviour by pretending to be the Promised Mahdi of Islam; he had thus attracted many oppressed people to himself and had caused three very violent civil wars in sensitive regions of Iran.

71. In his confessions, Dolgorouki had written: "I gradually approached him and became one of his closest friends. I invited him to my house several times, where I mixed his water-pipe tobacco with Indian hemp juice and hashish. During his ecstatic moods I encouraged him to stand up against the Shia mullahs ...".

72. During Ali Mohammad Shirazi's imprisonment, there had been serious occurrences, which were the work of the Babis at the instigation of foreign powers, and in particular by Mirza Hossein Ali, a pleasure-seeking Iranian who had taken over the leadership of the new religion and had later claimed to be Bahaollah and even God.

73. In Palestine, Mirza Hossein Ali, with the help of the British Government, which was at war with the Ottoman Government (and with the help of Abass Afandi's activities, his visits to Europe and America, and the support he had received from the zionists who intended to set up a Government and to occupy Palestine), had been able to set up an organization modelled on European political parties; the proclamation had taken place at "Beitol Adl" (House of Justice) at Haifa. That same organization had gradually become an authority for taking decisions on Baha'i activities in all countries, and had been turned into a fundamental pillar for the establishment and consolidation of the régime occupying Qods (Jerusalem).

74. Baha'ism had always been an instrument of imperialism. To recapitulate what had already been said, that sect had been created in order to serve the objectives of the Tsarist Government. According to Dolgorouki's own admission, he had given the original impetus to Ali Mohammad Shirazi's claims. In clerical attire and with the fictitious name of "Sheikh Issa", Dolgorouki had carried out his mission of creating a religion. Sayed Kazem Rashti, who was Ali Mohammad's teacher, had also been a Russian agent. Throughout the history of the foundation of that sect, the actions of imperialist Governments and the Russian and British Embassies in Iran, Iraq, Turkey and Palestine were clearly in evidence.

75. Abbot, the British Government's envoy, who had been on the spot at the time of the Baha'i riots, wrote in his memoirs:

"... Mullah Mohammad Ali, leader of the fanatic group of the Zanzan Babis, told his followers: 'Do not be afraid to fight', and he assured them that the Russian Government would come to their aid."

76. However, as soon as the British imperialists scored victories in the war with the Ottomans which had drawn Palestine into the conflict, the Baha'is acted as a powerful espionage group on behalf of the British Government and against the Muslims and the Ottoman Government.

77. Afandi had gone so far that Jamal Pasha, commander of the Ottoman forces, had decided to have him hanged on the slopes of Mount Carmel.

78. Soghi Afandi clearly stated on page 291 of volume III of his work "God Passes By": "Jamal Pasha, commander of the Ottoman forces, decided to execute Abass Afandi on charges of espionage".

79. Following the formation of the Zionist Government, baha'ism had been the executor of Zionist aims throughout the world. Ever since the United Nations granted official status to the Israeli Government, baha'ism and zionism, both offsprings of colonialism, had helped each other like two brothers. Since then, baha'ism had been at the disposal of the zionists, and their assemblies throughout the world carried out the orders received from occupied Palestine.

80. The following could be read in "Akhbar Amri", the Baha'i organ, dated 1 April 1954:

"The Israeli President and his wife, Mrs. Ben Zoy, paid a scheduled visit to the holy sites of Mount Carmel, following the reception given in their honour at the home of His Holiness Abdul-Baha."

81. The same magazine, dated 24 June 1954, stated the following:

"The Israeli Government's relations with His Holiness Vali Amrollah and the international Baha'i delegation are friendly and sincere. It is a pleasure that successes have been achieved in recognition of the faith in the holy land."

82. Several years ago, the following statement appeared in the official Baha'i publication in Iran: "We are very proud and pleased to announce to the Baha'is the expansion and development of relations between Baha'ism and the officials of the Israeli Government."

83. The importance of the action of imperialist totalitarianism could be seen in the following political statement, emanating from the Baha'is:

"As of the date ... (26 June 1944) being the beginning of the rallying of Babism, anyone who disobeys him (Bab) shall be considered a rebellious pagan, and his blood may be spilled."

That was how the advocates of imperialism and totalitarianism thought and acted.

84. Mr. KHERAD (Observer for Afghanistan) recalled that the United Nations had emerged in 1945 from the victory over the forces of fascism and militarism. Since that victory over the Fascist aggressors, many international instruments had been drawn up and the General Assembly had adopted several resolutions urging all States to take the necessary measures against the activities of groups and organizations advocating nazism, fascism, neo-fascism or other ideologies based on racial intolerance, hatred and terror. Nevertheless, in some countries, the advocates of Fascist ideologies were intensifying their reactionary and aggressive activities, as in Israel, where the official policy was based on the principle of the superiority of the Israeli people, and in South Africa, a country where the odious policy of apartheid prevailed, which illegally occupied Namibia and attacked sovereign "front-line" States. Similarly, in El Salvador, Chile and South Korea, the fascists were pursuing their evil policy and caused thousands of casualties every year.

85. The war-like policy of the United States of America encouraged the activities of racist and Fascist organizations, and it was clear that large numbers of war criminals were still at liberty because the United States and some other countries disregarded the international agreements providing for the extradition and punishment of those criminals.

86. Fascism was the most dangerous form of human rights violations, and all States were concerned by that danger, which threatened international peace and security. So long as criminals went unpunished, the international community should spare no effort to bring about the complete and final elimination of Fascist and neo-Fascist practices in all their forms. To that end, international co-operation within the United Nations should be strengthened and States encouraged to adopt at the national level measures designed to prohibit racist ideologies.

87. In the Democratic Republic of Afghanistan, any dissemination of ideas similar to nazism, all acts of violence and any incitement to commit such acts were crimes punishable by law. The Democratic Republic of Afghanistan had taken practical and constructive measures against Nazi, Fascist and neo-Fascist activities and all ideologies based on racial intolerance, hatred and terror, and it had incorporated in article 14 of its Constitution the principle of the struggle of the nations and peoples of the world for peace, national and social freedom, democracy and progress, and against zionism, racism, fascism, racial discrimination and apartheid.

88. Mr. NGO Pin (Observer for Democratic Kampuchea), speaking in exercise of the right of reply, said that at a time when most peoples and nations had regained their liberty and independence and freed themselves from nazism, fascism and colonialism, new forms of domination, hegemony, totalitarianism and oppression were appearing. Those responsible claimed to be defenders of human rights, of the right of peoples to self-determination and of international peace and security, but in reality they trampled underfoot the freedom of peoples, waged wars of aggression and genocide, threatened the independence, sovereignty and territorial integrity of States and called into question the rights dearly won by peoples and nations. Hegemonism and expansionism were reflected in cynical violations of the fundamental rights embodied in all international instruments. Those violations had caused the destruction of the heritage of peoples, massacres, rape, torture, imprisonment, religious intolerance and famine used as a weapon of genocide. Those calamities had given rise to the mass exodus of refugees, in particular from Kampuchea and Afghanistan, countries which were the main victims of that scourge. The authors of those crimes against humanity even had the impudence, cynicism and hypocrisy to sponsor draft resolutions which, in essence, condemned them.

89. He called on the Commission urgently to take all possible measures to fight against totalitarianism, hegemonism and foreign occupation, before mankind was faced with a third world conflict.

90. Mr. Chowdhury (Bangladesh) resumed the Chair.

The summary record of the second part of the meeting is continued in document E/CN.4/1985/SR.26/Add.1.