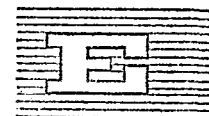


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1984/SR.26/Add.1
28 February 1984

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Fortieth session

SUMMARY RECORD OF THE 26TH MEETING */
(Second part)

Held at the Palais des Nations, Geneva,
on Thursday, 23 February 1984, at 6 p.m.

Chairman:

Mr. BARAKAT

(Jordan)

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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)

*/ The first part of the summary record of the meeting was issued as document E/CN.4/1984/SR.26.

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GE.84-15433

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)

1. Mr. EL-KASMI (Libyan Arab Jamahiriya) said that the item before the Commission had first been included in the agenda of the Commission at the twenty-eighth session, in accordance with General Assembly resolution 2839 (XXVI) of 18 December 1971, and had been included regularly ever since. Although many delegations had also quite regularly condemned certain regimes based on hatred, terror and racial intolerance, no resolution on the subject had been adopted. He hoped, therefore, that the Commission would give the question priority and discuss it thoroughly, with a view to preparing an appropriate draft resolution, with which his country for its part would be ready to associate itself.

2. It was disturbing to note that practices inspired by nazism, neo-nazism and fascism, perpetrated and even boasted of by some countries, were widely tolerated, and that the need to condemn the odious regimes guilty of such practices found little response in the Commission.

3. Yet the fact that Israel and South Africa in particular pursued a policy similar in all respects to that of Hitler and Mussolini was obvious. They went even further. Like their predecessors who preached "racial purity", the Israeli and South African regimes were based on the affirmation of racial supremacy, in the one case that of a Jewish "chosen people" vis-à-vis the Arabs, and in the other case that of the whites over the black population of South Africa, whose rights were trampled under foot. Perpetuating a thoroughly racist colonialism, which claimed that whites would ensure the progress of underdeveloped peoples, Israel maintained that it had brought civilization to the Arabs. Furthermore, and again like their models, both regimes practised a policy of expansion by force and did not hesitate to exterminate whole racial or ethnic groups, in order to achieve their goals, using methods reminiscent in a sinister way of the holocaust perpetrated by Hitler against the Jewish people and the genocide perpetrated by Mussolini against the Libyan people.

4. In that connection he referred to an important article that had appeared on 14 February 1982 in an Israeli magazine "Kirunim" published by Mr. Israel Shahak, president of the Israeli Human Rights Committee and one of the most active Zionists. The author of the article, a journalist named Oded Yinon, presented the future strategy of the Israeli Government. The main elements of the strategy were to retake the Sinai Peninsula, to isolate and weaken the Arab States, to redistribute their lands in the occupied territories so as to confine the Arab population to the most backward areas, and finally, to maintain a firm alliance with the United States, and using all means including force and terrorism to liquidate the Palestinian people.

5. That last goal was absolutely essential for the achievement of Israel's aims. The notions of "Jewish homeland" and of a right to return, which had been part of the Zionist programme since 1919, were intended to make it possible to turn Palestine into a Jewish State, while giving any Jew who so wished the right to become a citizen of Israel. That explained why the Zionist regime fiercely opposed the return of the Palestinians and sought by all possible means to extend its

territory. What was involved was not simply racial discrimination but the total negation of the physical existence of an entire people that was to be destroyed so that it could be replaced by another.

6. Israel was able to apply such a dangerous ideology with impunity only because it had the support of certain great Powers, particularly the United States, which also supported the South African apartheid regime through the transnational corporations and by supplying arms.

7. In conclusion, he urged the Commission and the United Nations to assume their historic responsibility by taking the necessary steps to protect the human rights and fundamental freedoms of every individual, whatever his race or colour.

8. The CHAIRMAN gave the floor to the representative of the World Jewish Congress in accordance with rule 70 of the rules of procedure.

9. Mr. LACK (World Jewish Congress) said that the World Jewish Congress and the Co-ordinating Board of Jewish Organizations, for which he was also the spokesman, were of course actively concerned with the discussion of measures to be taken against all totalitarian or other ideologies and practices, including nazism, fascism and neo-fascism, based on racial or ethnic exclusiveness or intolerance. The hallmark of Nazi ideology had been a systematic and relentless promotion of a campaign of incitement to hatred against Jews, of which the Commission had just heard some examples, and the Jews, along with other ethnic and national groups, had been the main victims of the genocide committed by Nazi Germany and its allies. The millions of victims of the holocaust had, however, not prevented neo-Nazi groups in the post-war period from publishing a whole series of works that sought to rewrite history by claiming that the concentration camps, where millions of victims had died, had merely been an invention by Zionists seeking to extort compensation from the Federal Republic of Germany and to win sympathy from world opinion. In recent years anti-Semitic attacks had been committed against synagogues and other innocent Jewish targets at Antwerp, Berlin, Brussels, Paris, Rome and Vienna, and the perpetrators of those attacks had sought to explain their actions by reference to the Middle East conflict.

10. Improved co-operation among national police authorities had led to a decline in international terrorism in Europe, but in various countries in 1983, other ethnic, religious and national minorities had been the victims of xenophobic hate campaigns organized by extremist political groups that exploited, particularly among unemployed youths, the economic and social difficulties facing democratic societies, with the aim of destabilizing political institutions. The Turks and other minorities of southern Europe in the Federal Republic of Germany, the migrant North African, African and Asian workers in France, and the blacks and Asians in the United Kingdom, were among the victims of such campaigns.

11. Those States had, however, sought to redress such manifestations of violence and intolerance through legislative measures coupled with social action and dynamic educational policies. But there were other States where the authorities followed a deliberate policy of discrimination against ethnic, religious and linguistic minorities by denying them the right to enjoy their own culture, profess their religion or speak their language, as well as by systematically preventing them from leaving the country, even though refusal could not be justified by any requirement of national security or other grounds provided for in the relevant international instruments. The Soviet Union, for instance, despite its national legislation,

which was in full conformity with the international instruments to which the Soviet Union was a party, denied the Jewish national and religious minority the right to leave the country. That situation was all the more regrettable in that it was produced by a State which had played an essential role in the struggle against the Nazi forces during the Second World War and that it followed an improvement of the situation during the years 1976-1979. It was to be hoped that with the recent change in Government in the USSR those difficulties would be resolved in a constructive spirit.

12. Reference must be made to the extremely disquieting phenomenon of a certain brand of national fanaticism which was in fact the perversion of the noble religious ethic it claimed as its source and which led a number of frenzied adepts to kill blindly on the orders of those who manipulated them, in the belief that they were thereby gaining access to paradise. It was not only difficult to react effectively against the ideologies that inspired such fanaticism but it was also true that they added an alarming dimension to the action of extremists of all kinds who were ready to wage an unrelenting struggle against democratic pluralistic society, a problem of which the international community must be increasingly aware. In that connection the 40th anniversary of the end of the Second World War, in 1985, would provide an occasion for representatives of all spiritual and moral forces to alert world opinion and call upon it to renew its dedication to the ideals and values enshrined in the Universal Declaration of Human Rights and the international instruments inspired by it.

13. The odious analogy some had tried to make between zionism and nazism and accusations that Zionist representatives had been the accomplices of Eichmann during the Second World War could only be treated with contempt. The monstrous accusations of ethnic and racial domination laid against zionism only illustrated the real danger of incitement to hatred and racism, of which anti-semitism had always been and remained, unfortunately, one of the most glaring examples.

14. Mr. ARTUCIO (International Commission of Jurists) said that the study of totalitarian ideologies and practices must include the study of the so-called ideology of "national security", in which national security was a situation where the nation's progress along its chosen path was protected from internal or external interference or aggression - a theory underlying many of the contemporary dictatorial regimes. For the advocates of that ideology, convinced that the world was involved in an undeclared war in which two concepts of life were pitted against each other, the country must be defended against alleged subversive international aggression. Such a war implied intervention by the armed forces, since the democratic system did not provide for a sufficient defence, and the military at once took over the control of the country in all areas: defence of borders and territorial integrity, naturally, but also development, education, living standards, and so forth.

15. The theory held further that the security of the West was threatened both externally and internally; the internal enemy was more difficult to combat because he was harder to find; he had to be hunted everywhere: in universities, churches, political parties, trade unions and community associations. It was the armed forces that had the responsibility for distinguishing between friends and enemies.

16. The ideology called, furthermore, for an extremely liberal economic development system that allowed the State only the role of onlooker; but could only be put to practice through authoritarianism and repression, since it nullified to a great extent the gains of democracy, and the population obviously did not accept easily the restrictions laid on its rights and freedoms. In countries where that ideology was applied - Guatemala, El Salvador and Uruguay for example - it had led very quickly to the dismantling of the democratic system and the establishment of authoritarian Governments led by the army. Rights and freedoms had been suspended, education had been drafted into the service of the official ideology, the press had been muffled; the people began to experience torture, extrajudicial executions, and disappearances, and all the wealth passed into the hands of a small number of citizens, thus inevitably lowering the living standard of the majority catastrophically and reducing social welfare allocations and real wages and salaries. In the legal sphere a state of emergency was proclaimed; all constitutional, legislative and even legal functions were taken over by the executive branch alone; the definition of political crimes and crimes of opinion was expanded and punishment was increased; war councils were created. The best example of the disastrous effect of such an ideology was Argentina: the negation of human rights, secret prisons, disappearances, torture and exile; an unprecedented economic crisis along with uninhibited corruption at the higher civilian and military levels. That was the catastrophic outcome of eight years of a military regime which, as the representative of Argentina had recently stated, had used internal security as a pretext for installing a complete lack of security in the country.

17. One of the best examples of totalitarian ideology was the "national security" type; based on terror and injustice, it led to the systematic denial of human rights.

18. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic) said that nearly 40 years after the end of the war the people of his country still could not forget the crimes of the Fascists, who had decimated the population, devastated the country and left the economy in ruins. The re-emergence of groups or organizations that espoused Fascist or Nazi ideologies therefore evoked a very real apprehension, which was shared by the entire Soviet people. Incitement to hatred, the threat of murder, acts of terrorism, the justification of fascism - which were tacitly approved of by some Governments - were assuming such proportions that it could fairly be said that it was not a chance phenomenon. Nor was it merely an internal problem of certain countries. It threatened not only the enjoyment of human rights in those countries but also the basic security of other peoples. It called into question the standards established by the United Nations, which governed international life, and the principles relating to human rights set forth in various international instruments, and it exercised a harmful influence on young people. Now more than ever, therefore, as several delegations had stressed, the value of those principles must be firmly stressed and the seriousness of the phenomenon must not be underestimated, especially at a time when the international situation was extremely tense.

19. The Fascist regime of South Africa pursued, with the support of its NATO allies, a racist policy which had transformed the country into a gigantic concentration camp. In Israel, the "renaissance party", which was pro-Nazi in nature, preached the superiority of the Israeli people over other peoples and the need to enlarge its "living space". The genocide perpetrated by the Zionists

at Sabra and Chatila in Lebanon was comparable to the crimes of the Fascists during the Second World War. Fascism was now openly raising its head in various Western countries, in particular the United States, where a party openly called itself National Socialist and presented its views quite freely, despite the fact that at the Yalta Conference the leaders of the three allied countries, and in particular the President of the United States, had stated formally their desire to eliminate for ever all traces of nazism.

20. It was a sacrilege vis-à-vis the victims of nazism not to punish the Hitlerite war criminals. Various instruments adopted at the end of the war placed obligations on States to prosecute or extradite war criminals whenever they were discovered. Nevertheless, many war criminals had avoided prosecution, particularly in the United States, where the authorities without valid legal justification invoked municipal law in order not to extradite them. Whatever pretexts were put forward in that connection, the fact was that the authorities were protecting war criminals, thus failing to fulfil their international obligations and insulting the memory of millions of victims of nazism. It was not well enough known, as a recent work published in the United States in 1983 had revealed, that many war criminals lived quite peacefully in the United States and that the Department of State had even employed 4,000 Nazis guilty of massacres in the Byeloussian towns of Minsk, Vitebsk and Smolensk. America's national archives contained information showing that hundreds of Hitlerite criminals who had surrendered to American forces at the end of the war had never been prosecuted but had been sent to the United States as fighters against the Soviet Union and then employed by the United States information services. Klaus Barbie, the Butcher of Lyon, whom Bolivia had extradited at the risk of infuriating the American authorities, had collaborated with the CIA. That man, like all the other criminals, as well as those who had hidden nazis or had benefited from their experience to commit new criminal acts, should be prosecuted, even in absentia, by a high-level representative international tribunal.

21. The Commission on Human Rights should study the matter as thoroughly as possible, so that everyone would be fully aware of everything. It should also take specific steps to put an end to neo-Fascist activities and to have the Nazi war criminals all extradited and punished.

22. Mr. COLLIARD (France) said that at the thirty-seventh and thirty-eighth sessions of the General Assembly, his delegation had joined the consensus that had formed with regard to resolutions 37/179 and 38/99, both entitled "Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror". At the thirty-ninth session of the Commission on Human Rights, his delegation had adopted the same position with regard to resolution 1983/28, which dealt with the same subject and had been adopted without a vote on 7 March 1983.

23. Besides nazism and fascism, the possible reappearance of which should of course be the subject of careful vigilance but was confined to a few movements with a very small number of members, those resolutions rightfully condemned "all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror" and leading to the systematic denial of human rights and fundamental freedoms. It was absolutely essential that such ideologies and their most insidious and spectacular manifestations should be fought. But if that struggle was to be effective, there must first be an analysis of the causes of the evil and the techniques used by the totalitarian ideologies, and preventive measures must be adopted in the context of appropriate educational action.

24. With regard to the causes, two observations should be made. On the one hand, totalitarianism could appear anywhere in the world. The fact that a country had adopted a particular socio-economic system did not necessarily protect it from the evil of totalitarianism, since its main causes were not economic in nature. On the other hand, although human rights were basically individual, they were exercised in a collective framework. The Declaration of the Rights of Man and the Citizen, proclaimed in 1779 by the French revolution, stressed that collective nature by indicating, for example, that the liberty of each person ended where that of another began. There must be a balance between the individual members of a group and the group itself. However, totalitarian ideologies, nazism, fascism and neo-nazism, upset that balance by systematically stressing the primacy of the group. By giving precedence to the individual's membership in a given group, totalitarian ideology led to the rejection of differences and to the affirmation of the supremacy of that group over any other. That led to the theory of a superior race and the inequality of the various races.

25. Such a theory had no scientific basis, and totalitarian ideology could not impose itself except by resorting to specific practices that sought, in one way or another, to manipulate information so as to focus the attention of the people on a single enemy, making sure that nothing distracted their attention. When there were several enemies, it became necessary to group them together so that they formed a single block. Such practices were quite effective, and they must be relentlessly denounced, since they made it possible to impose totalitarian ideologies based on intolerance and arrogance.

26. In order to combat the evil of nazism, fascism, neo-nazism, and all other forms of totalitarian ideology, legislation and regulations must be adopted - all the while maintaining respect for human rights and fundamental freedoms - that were calculated to prevent the development of ideologies and practices based on terror and inciting racial discrimination or hatred against various human groups. French legislation had long maintained provisions making it possible to repress racism, even in its most insidious forms.

27. But the essential need was for appropriate educational action. In order to save succeeding generations from the scourge of war, as promised in the Preamble to the Charter of the United Nations, young people must be familiarized with two very simple ideas, namely recognition of the right to differ and rejection of "uniformity" - which took the form of "regimentation" of minds or led to a ban on the dissemination of any idea that differed, however little, from the official thinking.

28. His delegation could only condemn most vigorously the perversion of groups or Governments that, explicitly or not, tended to base their domination on exclusiveness and intolerance. His delegation hoped that all States would work together to ensure respect for the principles laid down, in particular, in the Charter and the International Covenants on Human Rights, which condemned unequivocally all forms of intolerance and all attacks on fundamental freedoms.

29. Mr. MACCOTA (Italy), speaking in exercise of the right of reply, said he must correct the statements made by the representative of the Ukrainian SSR to the effect that the existence of the Italian Social Movement (MSI), the commemoration of the hundredth anniversary of the birth of Mussolini and the phenomenon of the Black Brigades were proof of the rebirth of fascism in Italy.

30. MSI was a party authorized under the law, and the law prohibited the re-establishment of the Fascist party in any form. The members of MSI in Parliament had been elected regularly in free elections and enjoyed the same status as other members of Parliament, although they were not part of the government majority.

31. It was understandable that the representative of the Ukrainian Soviet Socialist Republic was astonished to see that in Italy individuals had been able to commemorate the hundredth anniversary of the birth of Mussolini, whereas in the Ukraine, as in the USSR as a whole, the past had been wiped out by a single stroke of the pen, eliminating from history the 30 years of the Stalin era and the rise of Khrushchev to power. The Ukrainian representative had spoken of the Black Brigades but had kept quiet about the Red Brigades, a revolutionary movement that had separated from the Italian Communist Party - which it accused of compromise with the bourgeois State - and had adopted the Marxist creed.

32. The representative of the Libyan Arab Jamahiriya had stated that during the time of Mussolini, Italy had carried out what amounted to genocide in Libya. The Italian delegation categorically rejected that accusation and challenged the Libyan representative to furnish proof.

33. Like the representatives of the United States and the Netherlands, he felt that if the Commission adopted a resolution on the item under consideration, that resolution should condemn not only fascism and nazism, terms which referred to very specific regimes in history, but also all forms of totalitarianism that threatened the world.

34. Mr. JAEGER (Federal Republic of Germany), speaking in exercise of the right of reply, said that the German people had been the first victim of the Hitlerite regime and would never forget either the crimes committed in the name of National Socialism, or the need to ensure that such a regime could never arise again. But it was false to say, as the representative of the Ukrainian SSR had done, that a wave of right extremism was sweeping the Federal Republic of Germany, that the Federal Government had taken no steps to check that movement and that the discussions that had taken place in the Federal Republic on the occasion of the 50th anniversary of the rise of Hitler to power constituted signs of the rebirth of nazism.

35. It should be realized that the neo-Nazis represented less than 10 per cent of the total population of the Federal Republic of Germany. At the latest elections to the Federal Parliament held on 6 March 1983, the National Democratic Party (NPD), the only extreme right party, had obtained 90,000 votes, or 0.2 per cent of the votes cast. The party was not represented in the Federal Parliament nor in the Länder parliaments. The German Communist Party (DKP), the only extreme left party that had participated in the elections, had obtained 64,000 votes, i.e. less than 0.2 per cent of the votes cast. Those results were proof that the German people rejected all extremist movements, whether left or right, and preferred a democratic regime based on the Universal Declaration of Human Rights.

36. Furthermore, the handful of extremists that sought to undermine the democratic order could be dealt with by a whole arsenal of laws providing for the dissolution and prohibition of movements whose activities ran counter to the Constitution. Those laws, which the Government had never hesitated to use when necessary, had demonstrated their effectiveness and had made it possible to

combat extremist ideologies successfully. In view of the fact that in a democracy the decision-making power rested ultimately with the citizens, the Ministry of the Interior also took care to ensure that the citizens were properly informed, by issuing each year a report on anti-democratic movements whose activities were directed against the State and the Constitution. The strength of democratic regimes was based precisely on the fact that Governments had nothing to hide from their citizens.

37. There was therefore absolutely no resurgence of nazism in the Federal Republic of Germany, and extremist movements, whether left or right, had no chance of developing there or of gaining a foothold. Those who claimed the contrary were basing their views on false information. In that connection, the representative of the most powerful State in Europe, the Soviet Union, should reflect on the various forms that totalitarianism could take. There were still today totalitarian regimes imposing their rule on millions of people.

38. As for the territorial claims to which reference had been made during the discussion, his delegation wished to point out that the Federal Republic of Germany had committed itself on several occasions never again to use force in order to press any claims it might have, and that the definitive border-line must be established in the framework of a peace treaty.

The meeting rose at 7.45 p.m.