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MEASURES TO BE TAKEN AGAINST NAZISM AND OTHER
TOTALITARIAN IDEOLOGIES AND PRACTICES BASED ON
INCITEMENT TO HATRED AND RACIAL INTOLERANCE

Report of the Third Committee

Rapporteur: Mr. Amre MOUSSA (Egypt)

1. The General Assembly, at its 1939th meeting on 25 September 1971, allocated to the Third Committee agenda item 57 entitled "Measures to be taken against nazism and other totalitarian ideologies and practices based on incitement to hatred and racial intolerance".
2. The Third Committee considered this item at its 1902nd meeting held on 9 December; the summary record of this meeting (A/C.3/SR.1902) sets out the views of Member States on this question.
3. The Committee had before it a note by the Secretary-General (A/8332) which contained a draft resolution which had been recommended for adoption by the Economic and Social Council in its resolution 1590 (L) of 21 May 1971. The draft resolution was based on a text which had been adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-third session and subsequently endorsed by the Commission on Human Rights at its twenty-seventh session.
4. At the request of the representative of Finland, a separate vote was taken on the words "and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity" in paragraphs 3 and 4 of the draft resolution. A separate vote was taken on paragraphs 3 and 4 at the request of the representative of Italy.

- (a) The phrase in paragraph 3 regarding the Convention was retained by 25 votes to 2, with 51 abstentions;
- (b) Paragraph 3 was adopted by 33 votes to 2, with 45 abstentions;
- (c) The phrase in paragraph 4 regarding the Convention was retained by 32 votes to 2, with 51 abstentions;
- (d) Paragraph 4 was adopted by 36 votes to 2, with 45 abstentions;
- (e) The draft resolution was adopted by 58 votes to 2, with 23 abstentions.

RECOMMENDATION OF THE THIRD COMMITTEE

5. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to be taken against nazism and other
totalitarian ideologies and practices based on
incitement to hatred and racial intolerance

The General Assembly,

Recognizing that there still exists in the world convinced adherents of nazism and racial intolerance whose activities - if they are not opposed in sufficient time - could bring about a resurgence of those ideologies, which are clearly incompatible with the purposes and principles of the Charter of the United Nations, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination, and that, accordingly, the danger of a revival, or a development of new forms, of nazism and racial discrimination combined with terrorism cannot be disregarded,

Considering that contemporary manifestations of resurgent nazism, like the earlier ones, combine racial prejudice and discrimination with terrorism, and that in some cases racism has been raised to the level of State policy, as in the case of the Republic of South Africa,

Believing it essential, in order to remove this threat to the peace and security of peoples and to the realization of basic human rights and fundamental freedoms, to elaborate a series of urgent and effective measures which might be adopted by States with a view to suppressing the revival of nazism and preventing its revival, in any form or manifestation, in the future,

Firmly convinced that the best bulwark against nazism and racial discrimination is the establishment and maintenance of democratic institutions, that the existence of genuine political, social and economic democracy is an effective vaccine and an equally effective antidote against the formation or development of Nazi movements, and that a political system which is based on freedom and effective participation by the people in the conduct of public affairs, and under which economic and social conditions are such as to ensure a decent standard of living for the population, makes it impossible for fascism, nazism or other ideologies based on terror to succeed,

Confirming that nazism and other forms of racial intolerance constitute a serious threat to the realization everywhere of human rights and freedoms and the maintenance of international peace and security,

Deeming it essential that the question of measures to be taken to combat nazism and racial intolerance should be kept under constant review by the appropriate United Nations bodies with a view to the timely and immediate adoption of the necessary measures for the complete eradication of nazism from the life of society,

1. Condemns all manifestations of the ideology and practice of nazism and racial intolerance, wherever they may occur;

2. Calls upon States to take steps to bring to light any evidence of the manifestation and dissemination of the ideology and practice of nazism and racial intolerance and to ensure that they are rigorously suppressed and prohibited;

3. Invites all eligible States which have not yet done so to ratify and to accede to the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity as soon as possible, and requests them to report to the General Assembly at its twenty-seventh session on the measures taken by them to comply strictly with the provisions of those Conventions;

4. Invites all States Members of the United Nations or members of specialized agencies to review their legislation, in the light of the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, with a view to determining whether, in the light of their circumstances, further legal measures are required to eradicate for all time the danger of a revival of nazism, racial intolerance, or other ideologies based on terror;

5. Urgently calls upon those States concerned which have not yet done so to take immediate and effective measures, including legislative measures, with due regard to the principles contained in the Universal Declaration of Human Rights, to prevent the activities of Nazi and racist organizations and groups;

6. Appeals to all States to prohibit activity by organizations propagating concepts of nazism and racial superiority;

7. Urges those States which are unable, for serious constitutional or other reasons, to implement immediately and fully the provisions of article 9 of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, both of which condemn and outlaw all propaganda and all organizations based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, to take measures designed to ensure the speedy disbandment and disappearance of such organizations, these measures to provide, inter alia, that:

(a) Such organizations should not be allowed to receive financial subsidies from organs of the State, private companies or individuals;

(b) Such organizations should not be allowed the use of public premises in which to establish their headquarters or conduct meetings of their members, the use of streets and squares in populated areas for holding demonstrations, or the use of public information media for disseminating propaganda;

(c) Such organizations should not be allowed to form militarized detachments on any pretext, and offenders should be subject to prosecution in the courts;

(d) Persons employed by the State, particularly in the armed forces, should not be permitted to belong to such organizations;

All these measures may be taken only in so far as they are compatible with the principles of the Universal Declaration of Human Rights;

8. Requests the United Nations Educational, Scientific and Cultural Organization, the International Labour Organisation and other specialized agencies to consider, within their respective spheres of competence, the question of the danger of a revival of the concepts of nazism and racial intolerance;

9. Appeals to regional intergovernmental organizations to consider this question at the regional level;

10. Calls upon Governments, particularly those which control mass information media of world or continental scope, the United Nations and its subsidiary bodies, specialized agencies and international and national organizations to increase public awareness of the danger of a revival of nazism and racial intolerance, especially among young people, by education, by the preparation and dissemination of information on this subject and by recalling the history of nazism and its crimes and of racial intolerance;

11. Calls upon all States to take legislative and administrative measures to prevent activities of any kind in favour of nazism and the concept of racial superiority;

12. Decides to place the question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred on its agenda and under continuing review, and urges other competent organs of the United Nations to do likewise, so that appropriate measures can be taken promptly as required;

13. Confirms the principles of international law with regard to the eradication of nazism, and appeals to all States to act in conformity with those principles.
