

RESOLUTION ON THE EXTRADITION AND
PUNISHMENT OF WAR CRIMINALS

REPORT OF THE FIRST COMMITTEE TO THE GENERAL ASSEMBLY

Rapporteur: Dr. Viteri Lafronte (Ecuador).

1. The General Assembly, at its twenty-second plenary meeting held on Saturday, 2 February 1946, approved the recommendation of the General Committee that the Byelorussian proposal concerning war criminals should be put on the agenda of the General Assembly. This proposal was then referred to the First Committee for consideration and report.
2. The First Committee, at its seventh meeting held on 8 February 1946, discussed the implication of the draft resolution and appointed a Drafting Committee to carry out a number of minor drafting agreements relevant to the question of war criminals. The Drafting Committee, composed of the Vice-Chairman, Dr. Bech (Luxembourg) who presided in Mr. Manuilsky's absence, the Rapporteur, Dr. Viteri Lafronte (Ecuador), together with the representatives of Byelorussia, the Netherlands and the United Kingdom and their legal advisers, met on Saturday, 9 February 1946.

After some discussion a revised text of the resolution was drafted and met with the full approval of all delegations of the Drafting Committee.

3. At the ninth meeting of the First Committee I had the honour to present and explain this text, and the Committee approved the report unanimously. The First Committee therefore recommends that the General Assembly adopt the following resolution:

THE GENERAL ASSEMBLY

Taking note of the Moscow Declaration of 1 November 1943 by President Roosevelt, Marshal Stalin and Prime Minister Churchill concerning enemy atrocities in the course of the war, and of the declaration by certain allied governments of 13 January and 18 December 1942 concerning the same matter; and

Taking note of the laws and usages of warfare established by the Fourth Hague Convention of 1907; and

Taking note of the definition of war crimes and crimes against peace and against humanity contained in the Charter of the International Military Tribunal dated 8 August 1945; and

Believing that certain war criminals continue to evade justice in the territories of certain states,

RECOMMENDS

That Members of the United Nations forthwith take all the necessary measures to cause the arrest of those war criminals who have been responsible for or have taken a consenting part in the above crimes, and to cause them to be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished according to the laws of those countries; and

CALLS UPON

The governments of States which are not Members of the United Nations also to take all necessary measures for the apprehension of such criminals in their respective territories with a view to their immediate removal to the countries in which the crimes were committed for the purpose of trial and punishment according to the laws of those countries.