

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1983/SR.29
25 February 1983

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 29th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 21 February 1983, at 10 a.m.

Chairman:

Mr. OTUNNU

(Uganda)

CONTENTS

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

Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(b) Question of enforced or involuntary disappearances (continued)

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.83-15549

The meeting was called to order at 10.05 a.m.

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 22) (A/36/209 and Add.1; A/37/188 and Add.1)

1. Mr. NYAMEKYE (Deputy Director, Centre for Human Rights), introducing the agenda item, said that in the preamble to the Charter the peoples of the United Nations had proclaimed their determination "to practise tolerance and live together in peace with one another as good neighbours". The Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination emphasized that any doctrine of superiority based on racial differentiation was false, morally condemnable, socially unjust and dangerous; and alarm was expressed in those instruments at the manifestations of racial discrimination still in evidence in some areas of the world and at governmental policies based on racial superiority or hatred.
2. Under article 7 of the International Convention States parties undertook to adopt immediate and effective measures to combat racial prejudice and promote understanding and tolerance, as well as to propagate the purposes and principles of that instrument, the Charter, the Universal Declaration of Human Rights and the United Nations Declaration on the Elimination of All Forms of Racial Discrimination.
3. Pursuant to General Assembly resolution 2839 (XXVI), an item on measures to be taken against ideologies and practices based on terror or incitement to racial discrimination or any other form of group hatred had been placed on the agenda for the Commission's twenty-eighth session. In that resolution, the General Assembly had condemned all manifestations of nazism and racial intolerance, and had called upon States to take steps to bring to light such manifestations and to suppress and prohibit them rigorously. Since that time, an item to that effect had been considered regularly by the General Assembly and the Commission, both of which had adopted relevant resolutions. The latest set of States' views and observations on the topic was contained in documents A/37/188 and Add.1.
4. The Commission, at its thirty-eighth session, had decided to defer discussion and action on the item until the current session and to take it up as a matter of high priority. In resolution 37/179 the General Assembly had, inter alia, again condemned all totalitarian or other ideologies and practices based on racial or ethnic exclusiveness or intolerance, hatred, terror and systematic denial of human rights and fundamental freedoms, or which had such consequences. He reminded the Commission of the actions called for in that resolution, including the requests to the Commission to consider the subject at its thirty-ninth session and to the Secretary-General to report, through the Council, to the General Assembly at its thirty-eighth session in the light of the Commission's deliberations and the comments submitted by States and international organizations.
5. Mr. GOLEMANOV (Bulgaria) said that nearly half a century after its establishment as a result of the struggle against fascism and nazism the United Nations was still obliged to concern itself with those ideologies and the practices to which they had given rise; that fact demonstrated that the changes which had occurred in various countries since the Second World War had not sufficed to eradicate nazism and fascism in their various forms. Even during the war fascist organizations and

movements had existed in all the allied countries, with the exception of the Soviet Union. Such movements and organizations continued to be active in those countries and in others, where they preached nazi and neo-fascist ideas, indulged in an unhealthy nostalgia for the sinister practices of Hitlerite fascism, and attempted to sow terror and intimidation. The tolerance for such activities in such countries constituted a violation of the Potsdam Agreements, which had specifically prohibited them.

6. Such measures as had been taken against nazi, fascist and neo-fascist activities had been ineffective. In fact, the number of such organizations had increased in the United States, where they included the John Birch Society, the Minutemen and the Christian Crusade, and political parties such as the Patriotic Party, the National Socialist White People's Party of Arlington, the National Socialist White Workers' Party and the National Socialist Party of America. It should not have been difficult to detect the existence of such nazi, fascist, neo-fascist and racist organizations since, as reported in the US News and World Report of 7 November 1977, nazi candidates had run for local and national public office in at least five States in the United States, gathering as much as 16 per cent of the vote in one election in Chicago, and recruiting drives had been carried out. Business had been cashing in on the lucrative trade in Hitler and Nazi memorabilia and other items such as T-shirts and tattoos proclaiming racist and nazi ideologies. The Ku Klux Klan felt sufficiently protected to make no effort to conceal its blatantly racist activities. A similar situation prevailed in other countries, where political factions closely linked to the propagation of fascist ideas were to be found.

7. General Assembly resolution 2839 (XXVI) concerning the dangers of a nazi revival and racial intolerance clearly reflected the conviction of the international community that the existence of genuine political, social and economic democracy was an effective antidote to the formation or development of nazi movements, and that a political system based on freedom and the effective participation of the people in the conduct of public affairs made it impossible for fascism, nazism or other ideologies based on terror to flourish. The experience of Bulgaria confirmed the correctness of that conviction.

8. It was only natural to ask oneself why the States to which his delegation had referred had not succeeded in rooting out the vestiges of nazism, fascism, neo-fascism and racism. It was often maintained that such vestiges subsisted because democracy required tolerance even of those who threatened it. In any discussion of democracy, however, it was necessary to ask what kind of democracy one was talking about. The Western States had been seeking to convince the world that they alone could serve as an example of democracy. They boasted of the equality they guaranteed in a wide range of areas. Actually, equality existed in those countries primarily for those who had the means to take full advantage of it, since it did not come cheap. There was also the equality of the jobless, immigrants and other disadvantaged groups. That was precisely the difference between Western democracy and genuine democracy, under which there was only one equality for all - equality of rights and of opportunities to exercise them, equal to access to the means of production, to land, to the country's wealth and natural resources, to work, to leisure and to culture, as well as equal opportunity to participate in the political process.

9. As political scientists had observed, it was common for a dominant social class to resort to violence in order to prevent power from being wrested from it or to avoid being forced to share power; thus, when the domination of money had appeared to be seriously threatened within "Western pluralism", fascism had emerged. In

contemporary Western societies, money continued to be the most powerful political weapon, and fundamental decisions were taken under the influence of those who possessed it. A cursory study of the representation of the various social classes in the legislatures of the countries which presented themselves as the incarnation of democracy would be most revealing in that regard. That was the reason for the apparent impotence of such societies to eradicate all forms of nazi, fascist or neo-fascist manifestations. Fascism was alien to democracy, even in its bourgeois form, but not to the mechanisms and principles which formed the very basis of capitalist society.

10. Precisely for that reason, several nazi war criminals had enjoyed the more or less direct protection of some countries, including the United States, whenever those countries had thought that the criminals might be useful to them in some way or other. Many nazi criminals found guilty of crimes in the various regions occupied by Hitler's forces or in concentration camps were living under false identities in the United States, and their extradition had been requested by the countries concerned. On various pretexts, invoking considerations of "national defence" or following procedures which were, as if by accident, too slow or ineffective, the United States authorities had on more than one occasion delayed or prevented the handing over of such criminals to the countries concerned. That had been so in the case of Klaus Barbie, who for a long time had been under United States protection and had emigrated to Bolivia using a document issued by the United States authorities. In that connection, he recalled General Assembly resolution 3074 (XXVIII), which set out the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.

11. Despite official condemnation by certain countries, fascist and neo-fascist manifestations continued to increase. The explanation for that phenomenon was to be found in the conditions which had led to the accession to power of fascist leaders. In a time of serious economic crisis and taking advantage of unprecedented militarization, the forces of reaction had sought a solution in fascism. History had shown that there was no more fertile soil for the development of fascist ideologies than the proclamation of a policy of anti-communism, which had been the common denominator of fascist ideologies before the Second World War and an integral part of the ideology and practices of contemporary fascist organizations and movements. There could be no doubt that those who were advocating a policy of confrontation with socialism and of war preparations were helping to create a climate conducive to the re-emergence of fascist and neo-fascist movements, organizations and propaganda. In so doing, they were assuming a responsibility which could have serious consequences.

12. Mr. SOKALSKI (Poland) said that the infamous anniversary of Hitler's accession to power served as a painful reminder that the United Nations had emerged from the struggle against nazism, fascism, aggression and foreign occupation. That struggle was by no means over; victory had been gained in the Second World War but too much of the malignant poison which had caused it was still infecting the world.

13. In proportion to its population, Poland was the nation that had suffered most from Hitler's barbaric atrocities. Hitler had not been a "naive lunatic", as he was often portrayed, a product of human weakness for power or a historical mishap. The big monopolies had pushed Hitler to power, perceiving the nazi dictatorship as a champion of their interests.

14. Historically, fascism and nazism were closely akin. They were both extreme forms of right-wing political conservatism, which posited nationalistic egotism as the highest value and accepted inequality among people and hatred for the political opponent. The main ingredient of fascism had been ardent nationalism. Anti-Semitism and fierce racism were other important characteristics. Fascist dictatorships had always been nationalistic, anti-democratic, anti-liberal, anti-parliamentary, anti-proletarian, anti-socialist and anti-communist. Fascism had introduced modern propaganda methods by totally monopolizing the information media. It appealed to the mythical national past and mythologized the present. Fascism flourished in conditions of economic recession and in political and moral crises. Fascism ensured the continuity of the absolute dictatorship of big capital in the contemporary era.

15. Nazism had been a German variety of Italian fascism. Yet it had differed somewhat from its precursor in that it had established the first modern totalitarian Government in accordance with a constitution approved by a parliament, showed no restraint whatsoever in using racial intolerance and racial discrimination as political instruments, and unscrupulously used terror to manipulate public opinion, get rid of inconvenient national leaders and commit acts of aggression. Hitler's State based on that ideology had lost the war because his armies had ultimately proved inferior to those of the allies, especially the Soviet army. It had also lost because, in pursuing his deranged objectives, Hitler had challenged mankind by defying the principles of humanism and human dignity and by seeking the extermination of entire peoples.

16. The item under discussion was of particular concern to people in his country, all the more so since, in similar circumstances of recession and unemployment, favourable comments were now being made on Hitler's efficiency as a leader and mention was being made of the need for so-called "strong men".

17. At its most recent session, the General Assembly had noted with deep concern that the proponents of fascist ideologies in a number of countries had intensified their activities and were increasingly co-ordinating them on an international scale. Speedy and effective action must be taken to counter that situation. Much remained to be done in securing the arrest, extradition and punishment of persons responsible for war crimes and crimes against humanity. The recent extradition to France of Klaus Barbie, the head of the Gestapo in Lyons, was an important development. But Barbie was just one criminal; many more were still at large. For example, 87,765 nazi war criminals had been identified in the Federal Republic of Germany, and of that total only 6,456 had been tried and sentenced. In the German Democratic Republic, on the other hand, of 16,572 suspected criminals, 12,868 had been found guilty and duly sentenced. Following the Second World War, Poland had requested other States, mainly the Federal Republic of Germany, to extradite 7,629 persons suspected of extremely grave crimes and genocide. Only 1,803 of those had been extradited and tried in Polish courts. Several hundred cases of nazi criminals were pending in the United States, while many other nazi criminals were at large in several other countries. As long as the status of accessions to the Convention on the Non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity remained unchanged, the malignancy of nazism would persist.

18. There was also at the current time a revival, in different forms, of neo-fascist movements and activities. The situation was particularly disquieting in the Federal Republic of Germany, where as many as 140 neo-fascist organizations operated openly. There had also been an upsurge in efforts to promote Hitler's record and the nationalistic past of the Third Reich.

19. One of the favourite neo-fascist concerns in Europe was to question the territorial status quo of the continent and the validity of the relevant international treaties. It was astounding that such views should receive official support. Some two weeks earlier, a member of the Government in whose territory nazi organizations were allowed to conduct their activities without restrictions had openly questioned the political and territorial realities in Europe which that Government had earlier reaffirmed in its bilateral treaties and in the Final Act of the Conference on Security and Co-operation in Europe. Statements to that effect emanating from official sources represented a serious violation of article 20 of the International Covenant on Civil and Political Rights and were contrary to the United Nations Declaration on the Preparation of Societies for Life in Peace. They revived the ghosts of the past and encouraged the proponents of fascist ideologies.

20. The revival of groups and organizations professing totalitarian and racist ideologies promoted policies of intolerance, colonialism and apartheid. The Ku Klux Klan was a case in point. Another was the South African régime and its efforts to perpetuate and strengthen racist domination, its policy of bantustanization, its brutal repression of opponents of apartheid and its renewed acts of aggression against neighbouring States. There, too, was a neo-Nazi European connection, represented by the Association of German Societies Loyal to their Race, whose very name sufficed to bring back the atrocious memories of the "super-race".

21. The main significance of the item before the Commission was to remind the international community of the need for vigilance. Everything must be done to combat ideologies and régimes based on racial or ethnic exclusiveness, or intolerance, hatred, terror and the systematic denial of human rights and fundamental freedoms. Such ideologies and régimes were the result of definite actions by wicked people for the sake of sordid interests. They jeopardized world peace and constituted an obstacle to friendly relations between States and the realization of human rights.

22. His déléation supported the General Assembly's appeal to all States which had not yet done so to adopt, in accordance with their constitutional systems and international obligations, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and war propaganda, including nazi, fascist, and neo-fascist ideologies. It also appealed for universal accession to the International Covenants on Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and the International Convention on the Suppression and Punishment of the Crime of Apartheid. His country was a faithful party to all those international instruments. A number of other measures should be taken by the international community; they should be set out in a draft resolution, which his delegation was prepared to sponsor.

23. Mr. DAVEREDE (Argentina) said that his country had always supported decisions such as General Assembly resolution 37/179 which were aimed at combating totalitarian ideologies and practices. Such ideologies had poisoned political life in the current century, caused suffering to millions of people, and led to civil war and confrontation. In the past, nazism and fascism had horrified all democratic men and women; today, those ideologies were primarily of historical interest, but other ideologies threatened democratic institutions.

24. International terrorism was a constant threat to the world's democracies and was a new totalitarian ideology based on hatred and intolerance. Its objective was the destruction of democratic institutions in exchange for vague promises of social liberation. In contrast to democratic doctrines, it was distinguished not by its purposes, but by the treacherous means which it used to destroy the social order. It took advantage of pluralism and tolerance to create military organizations paralleling the forces of order, and tried to use the positive qualities of the constitutional State in order to destroy it.

25. Terrorism was essentially elitist and anti-democratic. It was headed by a supposedly "enlightened" minority which sought to impose its ideology through violence on the majority of the population, whose opinion, wishes and concerns were of no interest to it. Men and women must obey the dictates of a "truth" dictated by obscure prophets. One of its basic characteristics was the profound immorality of the means it used to impose its will, means which included murder, torture, kidnapping and robbery. All of them, however repugnant, were supposedly justified by the visceral hatred sown by that totalitarian ideology.

26. During the past two decades, Argentina had been buffeted by terrorism, and its people had been defenceless against the homicide, kidnapping and torture practised daily by bands of terrorists. That was now past, and the people wished to forget its suffering and bind its wounds, but its ordeal bore witness to the harm which such sick ideologies could cause. Argentina hoped that its sacrifice would not have been in vain and that its efforts would facilitate the final eradication of that new scourge of mankind.

27. Mr. ZORIN (Union of Soviet Socialist Republics) said that fascism, nazism and racism posed a threat to peace and all human rights, not because of theoretical concepts but because of ideologies based on terror, oppression, genocide and war. The Second World War had shown what the practice of such ideologies meant; and much more recently the case of Chile was an example of the large-scale suffering which the forces of fascism could inflict.

28. It was a question not of titles but of aims and activities; the South African regime, despite its parliamentary façade, was akin to that of Hitler, and the Zionist executioners responsible for the massacre of citizens in the camps at Sabra and Chatila were nazism's successors, as many speakers had pointed out during the Commission's current session. The Bruderbund fascist secret society in South Africa, with contacts in the highest ranks of the State apparatus, was growing; Mr. Botha, the Prime Minister, was himself a member. Its aims, consonant with those of the South African Government, were to dominate South African society. In Israel, the Tekhia party, to which Mr. Sharon and some other cabinet ministers belonged, sought to create a "Greater Israel" based on the Nazi-type aims of "living space" and domination over other peoples. The recent events in Lebanon and the preparations for aggression against Syria indicated the way in which those aims were being put into practice by the Israeli authorities.

29. The threat of fascism was apparent from the growing number of neo-fascist, neo-nazi and racist organizations in some developed Western countries; they were encouraged by the arms race and the atmosphere of belligerence fostered by the United States Administration. Likewise, questions recently raised in some official circles in the Federal Republic of Germany concerning the validity of current national boundaries in Europe reflected the revanchist ideas of some neo-nazi groups in that country. According to the latter's own official records, some 75 to 120 neo-fascist groups existed, roughly 70 per cent of whose membership consisted of persons aged 30 years or under - a new generation, in effect. There were over 100 neo-nazi publications, whose weekly circulation exceeded 240,000 copies, in the Federal Republic of Germany. The number of neo-nazi groups registered in that country had risen from over 300 in 1976 to around 1,500 in 1981; according to a Bundestag commission, they had committed some 2,000 criminal acts.

30. According to the periodical Tat, some 100 former nazi judges still lived in the Federal Republic of Germany, enjoying full citizenship; none of them had been brought to book for their crimes, which had included death sentences against thousands of citizens from many European countries. Some of them had actually been practising again in the courts. As of 1 January 1981, only about 7 per cent of those accused, in the Federal Republic of Germany, of crimes as former nazis had been found guilty.

31. In the United States many neo-fascist organizations, such as the American Nazi Party and the National Socialist Party of America, were active, and fascist and other racist organizations were spreading. Membership of the **Ku Klux Klan** had more than doubled in recent years. In 1980, six neo-nazis and "klansmen" had been sentenced for killing five opposition demonstrators in Greensboro, North Carolina; "klansmen" had gone on the rampage during the troubles in Miami towards the end of 1982 and had even obtained permission, for the first time in 40 years, to demonstrate in front of the White House in Washington. The indignant counter-demonstration provoked by that act had been broken up by police using tear-gas grenades.

32. Some 5,000 nazi criminals, responsible for tens of thousands of deaths as recorded by the governments of the USSR, Poland, Hungary, Bulgaria, the German Democratic Republic and other countries, had found a haven from retribution in the United States; some were even working in such places as the State Department and the Pentagon. Articles in United States periodicals on the Barbie case had revealed the names of a number of such criminals; one was a former torturer at Dachau, who had become the head of an air force medical research service in the United States.

33. Even when, occasionally, some of them appeared in court, appeals were made on their behalf on the grounds of justice and impartiality; one recent example was the case of a former chief of police in the occupied Latvian Soviet Socialist Republic. A number of major war criminals had escaped secretly to the United States at the end of the Second World War and had obtained United States citizenship. Many of them were still working for "Radio Free Europe" and "Radio Freedom". One of them, **Vilis Khazners**, had been in Byelorussia and had "distinguished himself" on one occasion by herding Jews into a synagogue and burning it down. He was one of 300 war criminals still at large and able to conduct anti-Soviet propaganda.

34. Documents published between 1979 and 1981 by the prosecutor for the special investigation services of the United States Ministry of Justice had shown that, with the connivance of the State Department and the FBI, a large number of fascists from Byelorussia and other regions of the Soviet Union had been smuggled into the United States for the purpose of subversive activities against the Soviet Union. Responsible for their activities had been one Frank Vizner, who had been appointed director of policy co-ordination of the CIA, obtaining a degree of independence which had enabled him to conceal fascist activities within the United States not only from the public but from governmental research bodies. As a result, many former fascists had been able to live and prosper in that country. The revelations, acknowledged by the United States press, showed inter alia that over 300 Byelorussian fascists, including some major war criminals, were living in the United States.

35. Former nazis who had fled to the United States had been guilty of the deaths of some 2.4 million persons during the Second World War, according to one researcher, who had added that their presence had been connected with the "cold war" policy of the United States. The experience of large-scale SS terrorist activities had been passed on to United States military authorities in the 1950s - which explained the link between those activities and the operations in Viet Nam. The Governments of the United States and other countries harbouring war criminals guilty of such atrocious crimes, in defiance of all standards of civilized behaviour, morality and international law, were strongly urged to render them for trial and punishment. To shrink from that duty on one pretext or another could be viewed only as demagogy and disdain for the cause of human rights - a cause which the United States mentioned so often.

36. Steps were likewise necessary in the case of neo-fascist activities in other countries. The Italian neo-fascist party - the largest in the capitalist world - had 300,000 members and was particularly strong in the backward southern part of the country. The successor of the notorious "Black Order" group was the group which had blown up the railway station at Bologna in August 1980, killing 84 persons and seriously injuring some 200 others, and had robbed a number of banks in Italy. According to a statement made in an Italian court, no terrorist group could ever have carried out acts on such a scale had it not been able to count on the support of influential persons, including some in the foremost ranks of the State apparatus.

37. Also noticeable was the dangerous tendency for the activities of neo-fascist groups to transcend national contexts. The existence in a number of Western States of neo-fascist and racist groups could be explained only by the authorities' unwillingness to take effective legal, administrative and judicial measures to eliminate them and to suppress nazi, fascist and racist propaganda. References to freedom of speech and association could not justify inaction; such freedom meant nothing to those whose aims were to crush all human rights and freedoms. According to article 20 of the International Covenant on Civil and Political Rights, propaganda for war and advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence should be prohibited by law. Moreover, under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, States parties were required to declare racist organizations illegal and prohibit them. Yet the States parties included most of the Western nations in whose territory neo-fascist and racist organizations were active. The principles set forth at Nuremberg, adopted as principles of international law, should be remembered; according to them, fascism

was a threat to peace and human rights and required action to eliminate it in all its forms and manifestations. Also to be borne in mind was General Assembly resolution 37/179, adopted without opposition, and in particular paragraph 3 of that resolution.

38. As the fortieth anniversary of the overthrow of fascism approached, the Commission should make the utmost efforts to promote the eradication of fascism and its various forms, which posed a threat to peace and to all human rights.

39. Mrs. KSENTINI (Observer for Algeria) said that for more than a decade the General Assembly and the Commission had been paying particular attention to the question of measures to combat totalitarian ideologies and practices based on exclusivism, racial or ethnic intolerance, hatred, terror, or the systematic denial of human rights and fundamental freedoms. The international community's interest in the problem stemmed from the recrudescence of such practices committed both by groups of individuals and by regimes which pursued policies of terror and aggression with the aim of perpetuating their domination and putting into practice ideologies based on racism, and racial, ethnic, religious or other discrimination. The Commission had, for example, considered in detail Zionist practices in the occupied Arab territories, including Palestine, and those of the Pretoria regime in southern Africa.

40. There was a striking similarity between the crimes of Nazism during the Second World War and the horrors being inflicted by Zionism on the Arab peoples in the occupied Arab territories, including Palestine, and in Lebanon. An objective comparison revealed that in some cases the criminal practices of the Zionists even surpassed in horror those committed by the Nazis. In that connection, she drew attention to General Assembly resolution 3379 (XXX), which equated Zionism with racism.

41. In South Africa, the institutionalized system of racism known as apartheid was accompanied by what amounted to State terrorism. All States and international organizations must refrain from providing any form of assistance to those regimes as the only effective means of putting an end to their racist and aggressive policies. The international community must also take measures to enforce international instruments and United Nations resolutions so as to combat all racist, discriminatory and terrorist actions and the systematic denial of human rights and fundamental freedoms.

42. Mr. ARTUCIO (International Commission of Jurists) said that the doctrine of national security, which had provided the theoretical foundation for many modern dictatorial regimes, especially in Latin America, should be included among the totalitarian ideologies and practices considered under agenda item 22. The basic tenet of the doctrine was the necessity of defending oneself against so-called international Marxist and subversive aggression. According to the proponents of the doctrine, an unconventional, undeclared third world war was now under way, in which East was pitted against West. Since the war was a continuing one and the democratic system was, in their eyes, intrinsically weak and ill-suited to countering such aggression, it was necessary to fall back on the armed forces, which assumed sole responsibility for protecting national security, and for virtually all other aspects of the country's life. The security of the West was threatened more by an internal enemy than by an external one, which nevertheless also existed and provided material and moral assistance to the former. The enemy had to be destroyed and the task of distinguishing between friends and foes was the business of the armed forces.

43. As time had gone by, an economic component had been incorporated into the doctrine. It was argued that economic development required social and political order and tranquility, which the ideologists of national security conceived of in terms of nineteenth-century laissez-faire capitalism.

44. The application of the doctrine of national security necessarily entailed authoritarian and repressive conditions, since the people did not willingly accept the abridgement of their rights and freedoms. In those countries in which the doctrine had been imposed, the destruction of representative democratic systems and the establishment of authoritarian Governments under military control had soon followed. Basic rights and freedoms had been suspended, the detention of individuals for indefinite periods without legal charges against them had been authorized, the educational system had been pressed into the service of the official ideology and the press gagged. The "war" waged by such regimes could not be hampered by considerations of human rights. Such regimes resorted widely to torture, extrajudicial execution and enforced disappearance. In the economic and social spheres, the policy of laissez-faire capitalism had resulted in the concentration of capital in the hands of a few, benefiting primarily transnational corporations. At the same time, the living standards of the majority of the people had fallen sharply.

45. From the legal point of view, such regimes relied on the declaration of a "state of emergency", legislated by decree and military order, and concentrated in the executive powers which belonged to the legislative and even judicial branches of government. New forms of political crimes were declared and political offences were tried by military rather than civilian courts. In short, such regimes practised official terror which went well beyond the possibilities provided even by the repressive legal order they had established.

46. The doctrine of national security was totalitarian and based on terror and injustice, and it resulted in the systematic denial of human rights. Because such a doctrine was a reality in various countries and not a mere theoretical problem, the International Commission of Jurists had wished to bring it to the attention of the Commission in the hope of combating it and averting the emergence of new regimes based upon it.

47. Mr. NCHAMA (International Movement for Fraternal Union among Races and Peoples) said that his organization was greatly concerned about the practices used by totalitarian ideologies such as racism, fascism and neo-facism. Philosophies based on the concept of racial supremacy should be combated by the entire international community.

48. Such a philosophy was the foundation for the policies of apartheid, colonialism and racial discrimination. Although in the northern hemisphere fascists and nazis were still minority groups, in the southern hemisphere some countries were governed by totalitarian ideologies.

49. One of the purposes of the United Nations was to maintain international peace and security, which meant combating all oligarchic groups that dictated to entire populations, withholding support from any Government which was enslaving its people, and boycotting those Governments which disseminated totalitarian ideas. To combat the leaders of a totalitarian Government could not be deemed interference in the internal affairs of a State.

50. After having been vanquished in the northern hemisphere in 1945, totalitarian ideologies had found a fertile environment in the southern hemisphere. In Equatorial Guinea, for example, a totalitarian ideology had dominated the Government since 5 March 1969. The oligarchy was a small group of fascists who dictated the future of an entire people and fomented terror and hatred within the population. A citizen who opposed that minority was imprisoned, tortured or killed.

51. The peoples of the southern hemisphere were fighting to achieve democracy and self-determination. They wished to build their own future themselves. A theory often heard over some totalitarian media was that there could be no democratic government in Africa; that was the theory which kept oligarchies in power in that continent, and it must be combated, for it was both fascist and racist.

52. In some African countries, such as Equatorial Guinea, totalitarian ideologies engaged in propaganda: children were taught methods of torture, murder and terror. Such ideologies should be combated by all mankind.

53. Mr. GASMI (Libyan Arab Jamahiriya) said that his country had always tried to promote fraternity among peoples so that all individuals could enjoy all their rights equally. It therefore attached great importance to the item under consideration and hoped that the Commission would agree on solutions to the problems it was discussing. In documents A/37/188 and Add.1 containing the comments of Governments, all Governments had referred to their constitutions and to the other measures they had taken to combat totalitarian or other ideologies and practices, but such measures were not sufficient. Although most of those constitutions and other legislation condemned such ideologies and practices, they had become extremely dangerous in the modern world. If they were to be eliminated, they should be dealt with at the local and international levels.

54. At the local level, unemployment and social inequity led to a revival of such ideologies and practices; the distribution of wealth should therefore be scrutinized at that level in order to ensure equality among all social classes. At the international level, those ideologies and practices resulted from a lack of respect for international law. Some regimes violated the sovereignty of other States, just as the fascist and nazi States had done when occupying other countries. The international community must therefore end those practices by some States and entities. Unfortunately, international legislation, decisions and resolutions did not have binding force to punish an aggressor and prevent him from profiting from illegal gains. The international community must find a way to implement sanctions against any State or entity which practised fascist, nazi or other policies based on racial intolerance, hatred and terror.

55. Zionism, as defined in General Assembly resolution 3379 (XXX), was a racist movement. That new form of nazism had appropriated all the mass media to achieve its purposes. Many honest citizens of the United States, including Spiro Agnew, Senator Fulbright and General Brown, had been victims of the nazi cancer within their country, and zionist and nazi agents had infiltrated the entire United States Administration. The zionist ideology, as expressed by Israel's first Head of State, David Ben-Gurion, envisaged Israeli predominance in the world through successive world wars, and unless something was done, the zionists would get their way.

56. Mr. MACCOTTA (Italy), speaking in exercise of the right of reply and referring to the comments made about his country by the representative of the Soviet Union, said that the revival of the fascist party was prohibited by law in Italy and that any fascist associations, if established, were dissolved. The party which the Soviet representative had referred to elected its representatives democratically. He rejected any intimation of complicity by the Italian authorities or courts with fascists or neo-fascists. Terrorism, which was an Italian import, and not export, was combated through entirely legal means: 36 terrorists had recently been sentenced to life imprisonment.

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(b) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES (agenda item 10) (continued)
(E/CN.4/1983/14; E/CN.4/1285, 1409, 1427, 1493; E/CN.4/NGO/213;
E/CN.4/Sub.2/1982/15; E/CN.4/WG.1/WP.1)

57. Viscount COLVILLE OF CULROSS (Chairman/Rapporteur, Working Group on Disappeared Persons) said that the statements made by members of the Commission under agenda item 10 (b) had emphasized the human dimension of the problem of disappeared persons. Although the report of the Working Group did not contain vivid descriptions of the human anguish involved or go into specific cases, that did not mean that the Working Group had lost its acute perception of the misery caused by enforced or involuntary disappearances; in order to avoid repetition, it had referred in its report to descriptions of such cases in earlier reports.

58. He agreed with a number of delegations that the Commission's sensitivity to the problem must not be allowed to diminish, and he welcomed the emphasis placed on the achievement of genuine results and solutions. Whether or not Governments were responsible for human rights violations, they were the only entities equipped to clarify individual cases, and they must therefore be called upon to do their utmost to co-operate with the Working Group. The Working Group welcomed the comments on the methods it used to induce Governments to provide answers to its questions and the suggestion that publicity should be given to those methods.

59. All proposals made by members of the Commission would be given careful consideration. Whether an international convention aimed at identifying the practice of enforced or involuntary disappearances should be drawn up by the Working Group or by some other body remained to be decided. The proposals had also covered two new subjects: individuals missing as a result of the conflict between Iran and Iraq, and those missing in southern Lebanon and other areas adjoining the State of Israel. The moderate terms in which those matters had been discussed in the Commission would be conducive to constructive action in those areas. On the other hand, the Commission must recognize that only so much could be expected of five people and that there were other bodies which were fully competent to undertake the tasks they had been performing. The Working Group was ready to co-operate with all entities which had objectives in common with it.

60. The Working Group had always held that nothing but human rights should be on its agenda and that a humanitarian approach and discretion were of primary importance in its work. It would continue to work along those lines if its mandate was renewed.

The meeting rose at 12.05 p.m.