

law applicable to armed conflicts, to be attended by government experts,

Believing that one or more plenipotentiary diplomatic conferences of States parties to the Geneva Conventions and other interested States might be convened at an appropriate time, after due preparation, in order to adopt international legal instruments for the reaffirmation and development of humanitarian law applicable to armed conflicts,

Considering that the effective implementation of humanitarian rules relating to armed conflicts can best be attained if those rules are laid down in widely accepted agreements,

Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,

1. *Calls upon* all parties to any armed conflict to observe the rules laid down in the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925, the Geneva Conventions of 1949 and other humanitarian rules applicable in armed conflicts, and invites those States which have not yet done so to adhere to those instruments;

2. *Expresses the hope* that the conference of government experts to be convened in 1971 by the International Committee of the Red Cross will consider further what development is required in existing humanitarian laws applicable to armed conflicts, and that it will make specific recommendations in this respect for consideration by Governments;

3. *Requests* the Secretary-General:

(a) To invite early comments by Governments on his reports;

(b) To transmit his reports and the comments of Governments thereon, together with the records of relevant discussions and resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, to the International Committee of the Red Cross for consideration, as appropriate, by the conference of government experts;

(c) To present the comments received to the General Assembly at its twenty-sixth session and to report at that session on the results of the conference of government experts to be convened by the International Committee of the Red Cross and on any other relevant developments;

4. *Decides* to consider this question again, in all its aspects, at the twenty-sixth session.

*1922nd plenary meeting,
9 December 1970.*

2712 (XXV). Question of the punishment of war criminals and of persons who have committed crimes against humanity

The General Assembly,

Recalling its resolution 2583 (XXIV) of 15 December 1969 on the punishment of war criminals and of persons who have committed crimes against humanity,

Welcoming with satisfaction the fact that the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity entered into force on 11 November 1970,

Noting with regret that the numerous decisions adopted by the United Nations on the question of the

punishment of war criminals and of persons who have committed crimes against humanity are still not being fully complied with,

Expressing deep concern at the fact that in present-day conditions, as a result of aggressive wars and the policies and practices of racism, *apartheid* and colonialism and other similar ideologies and practices, war crimes and crimes against humanity are being committed in various parts of the world,

Convinced that a thorough investigation of war crimes and crimes against humanity, as well as the arrest, extradition and punishment of persons guilty of such crimes—wherever they may have been committed—and the establishment of criteria for determining compensation to the victims of such crimes, are important elements in the prevention of similar crimes now and in the future, and also in the protection of human rights and fundamental freedoms, the strengthening of confidence and the development of co-operation between peoples and the safeguarding of international peace and security,

1. *Draws attention* to the fact that many war criminals and persons who have committed crimes against humanity are continuing to take refuge in the territories of certain States and are enjoying protection;

2. *Calls upon* all States to take measures, in accordance with recognized principles of international law, to arrest such persons and extradite them to the countries where they have committed war crimes and crimes against humanity, so that they can be brought to trial and punished in accordance with the laws of those countries;

3. *Condemns* the war crimes and crimes against humanity at present being committed as a result of aggressive wars and the policies of racism, *apartheid* and colonialism and calls upon the States concerned to bring to trial persons guilty of such crimes;

4. *Also calls upon* all the States concerned to intensify their co-operation in the collection and exchange of information which will contribute to the detection, arrest, extradition, trial and punishment of persons guilty of war crimes and crimes against humanity;

5. *Once again requests* the States concerned, if they have not already done so, to take the necessary measures for the thorough investigation of war crimes and crimes against humanity, as defined in article I of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and for the detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought to trial or punished;

6. *Requests* States which have not yet become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity to do so as soon as possible;

7. *Appeals* to Governments to provide the Secretary-General with information on the measures which they have taken or are taking to become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity;

8. *Also appeals* to States which have not yet become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity strictly to observe the provisions of General Assembly resolution 2583 (XXIV)

to the effect that they should refrain from action running counter to the main purposes of that Convention;

9. *Requests* the Secretary-General to continue, in the light of the comments and observations submitted by Governments, the study of the question of the punishment of war crimes and crimes against humanity and the criteria for determining compensation to the victims of such crimes, in order to submit a report on this question to the General Assembly at its twenty-sixth session.

*1930th plenary meeting,
15 December 1970.*

2713 (XXV). Measures to be taken against nazism and racial intolerance

The General Assembly,

Reaffirming its faith in the purposes and principles of the Charter of the United Nations and abiding by them,

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968 and 2545 (XXIV) of 11 December 1969,

Noting that nazism, racism, *apartheid* and other similar ideologies and practices have in the past repeatedly led to barbarous acts that trouble the conscience of mankind, and ultimately to war, and still have the power to threaten universal peace and the security of nations,

Deeply concerned by the fact that, twenty-five years after the foundation of the United Nations, the activities of groups and organizations which are proponents of the ideologies and practices of nazism, racism and *apartheid* are still continuing,

Expressing its deep concern at the fact that not all the States concerned have taken the measures specified in the aforementioned resolutions for the complete prohibition of Nazi and racist organizations and groups and for their prosecution in the courts,

Welcoming the contribution which the relevant specialized agencies can make to the fight against nazism and racial intolerance and the measures already taken by many of them in this respect,

Recalling Commission on Human Rights resolution 4 (XXVI) of 4 March 1970,⁸⁶ in which the Commission noted the tentative nature of the findings on this subject in the study on racial discrimination prepared by the Special Rapporteur⁸⁷ and requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue its study, placing special emphasis on measures to be taken to detect and effectively to prevent contemporary activities that might be inspired by nazism or any other totalitarian ideology based on incitement to hatred and racial intolerance,

1. *Again resolutely condemns* nazism, racism, *apartheid* and other totalitarian and colonial ideologies and practices which are based on terror and racial intolerance;

2. *Urges* the States concerned to implement without delay the resolutions of the General Assembly and, in particular, to take legislative and other effective measures with a view to the speedy and final eradication of nazism, including its contemporary forms, of

racism and of other similar ideologies and practices based on terror and racial intolerance;

3. *Calls upon* States during 1971, the International Year for Action to Combat Racism and Racial Discrimination, to take all effective measures to combat contemporary manifestations of nazism and other forms of racial intolerance;

4. *Decides* to retain on its agenda the item concerning measures to be taken against nazism and other totalitarian ideologies and practices based on incitement to hatred and racial intolerance.

*1930th plenary meeting,
15 December 1970.*

2714 (XXV). Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of *apartheid*, in all countries, with particular reference to colonial and other dependent countries and Territories

The General Assembly,

Recalling its resolution 2440 (XXIII) of 19 December 1968 in which, *inter alia*, it condemned any and every practice of torture, inhuman and degrading treatment of detainees and prisoners in South African prisons and in South African police custody during interrogation and detention,

Recalling its resolution 2505 (XXIV) of 20 November 1969 in which it expressed the firm intention of the United Nations, acting in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the present grave situation in southern Africa,

Also recalling Security Council resolutions 264 (1969) of 20 March 1969 and 269 (1969) of 12 August 1969 on Namibia,

Further recalling General Assembly resolution 2547 A (XXIV) of 11 December 1969 relating, *inter alia*, to the inhuman and degrading treatment and torture of political prisoners, detainees and captured freedom fighters in the Territories ruled by Governments and régimes wedded to the policies of *apartheid*, racial discrimination and colonialism in southern Africa,

Determined to promote immediate and urgent action with a view to restoring the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

1. *Commends* the *Ad Hoc* Working Group of Experts on the treatment of political prisoners in South Africa⁸⁸ for its valuable report;⁸⁹

2. *Reaffirms* the legitimacy of the struggles of the peoples of southern Africa to oppose the policies of *apartheid*, racial discrimination and colonialism and to assert their right to self-determination;

3. *Condemns* any and every practice of torture and ill-treatment of prisoners, detainees and captured freedom fighters in Namibia, Southern Rhodesia and the African Territories under Portuguese domination, as well as of persons in police custody in these Territories;

⁸⁶ Established under Commission on Human Rights resolution 2 (XXIII) of 6 March 1967.

⁸⁹ E/CN.4/984 and Add.1, Add.2/Rev.1, Add.3/Rev.1, Add.4 and 5, Add.6/Rev.1, Add.7/Rev.1, Add.8 and 9, Add.10/Rev.1, Add.11/Rev.1, Add.12-14, Add.15/Rev.1, Add.16/Rev.1 and Add. 17-19.

⁸⁶ See *Official Records of the Economic and Social Council, Forty-eighth Session, Supplement No. 5 (E/4816)*, chapter XXIII.

⁸⁷ E/CN.4/Sub.2/301.