COMMISSION ON HUMAN RIGHTS
Forty-fourth session
SUMMARY RECORD OF THE 38th MEETING
Held at the Palais des Nations, Geneva, on Friday, 26 February 1988, at 3 p.m.

Chairman: Mr. SENE (Senegal)
later: Mr. INGLES (Philippines)

CONTENTS
Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session (continued)

Statement by the Chairman

Measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Facist 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

Human rights and scientific and technological developments

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The meeting was called to order at 3.10 p.m.

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS THIRTY-NINTH SESSION (agenda item 19) (continued)

1. Mrs. RUESTA (Venezuela) said that, although her delegation had always been critical of the Sub-Commission when it had encroached on the Commission's sphere of activity or had given a political slant to matters that called for a greater degree of independence, it had always recognized the Sub-Commission's importance for the protection of human rights.

2. The unfortunate cancellation of the Sub-Commission's 1986 session had meant that consideration of worrying situations had had to be interrupted, but it had also provided an opportunity to take stock. It emerged from that assessment that the secretariat of the Centre for Human Rights should be asked to co-operate closely with the Sub-Commission so that the documentation needed for each session would be available in all working languages before the session began, the Special Rapporteurs could meet their deadlines, and the experts could give the best of themselves during the four weeks a year for which the international community was able to bring them together.

3. It was appropriate to recall, at a time when the entire membership of the Sub-Commission was about to be renewed, that its members should be genuine, and truly independent, experts. It would perhaps be useful to introduce a system similar to that adopted for the submission of candidates to the International Court of Justice. Members elected according to such a formula - for instance, with the participation of national human rights commissions or committees - would attend all sessions and would actually carry out tasks entrusted to them. Incidents such as the non-appearance of the report on youth and human rights - because it had been impossible for Mr. Mazilu to attend the thirty-eighth session - would not occur.

4. Her delegation welcomed the new form of presentation of the Sub-Commission's report, which should be read in conjunction with the summary records of its meetings. It considered that the list of studies and reports under preparation was useful but would have liked it to provide more comprehensive and specific information as to the status of the documents listed.

5. Her delegation had taken note with special interest of the resolution on the right to food (1987/27). That resolution, together with those concerning the role and equal participation of women in development (1987/26), the new international economic order and the promotion of human rights (1987/28) and the study on problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights (1987/29), made it possible to envisage the right to development in specific terms, in a manner that was different from but complementary to the way in which it was dealt with by the Commission.

6. Her delegation endorsed the Sub-Commission's proposal that the Working Group on Slavery and Slavery-like Practices should have a title more consonant with its mandate which would cover, in addition to the vitally important question of traffic in children, exploitation of sex, debt bondage, sale of
children, and apartheid. The Working Group could, for instance, be called the Working Group on Contemporary Forms of Slavery. Her delegation supported resolution 1987/32 and in particular the proposals set forth in subparagraphs (d) (i), (iii), (iv) and (v) of paragraph 3 and in subparagraphs 5 (g) and (h). The serious nature of the problem of traffic in children had recently been highlighted by the pornography case involving exploitation of children which had been discovered in two developed countries, where protection of children and police surveillance were none the less well organized. It would be a good idea for the Working Group on Slavery to submit, through the Sub-Commission, a report on its activities, particularly regarding the shameful practice of traffic in children, to the forty-fifth session of the Commission. That could assist the Commission in formulating principles with a view to a convention on the rights of the child. Furthermore, given the importance of its role, the United Nations Children's Fund (UNICEF) should be invited to attend the Working Group's proceedings as an observer, along with the organizations referred to in paragraph 5 (f) of resolution 1987/32, so that possible forms of collaboration could be considered.

7. Mention should likewise be made of the importance of the activities of the Working Group on Indigenous Populations and of the sessional Working Group on Detention, which could perhaps also deal with the various forms of imprisonment of minors. The Sub-Commission's work on states of emergency and the elimination of all forms of religious intolerance also deserved special mention.

8. Mr. Ingles (Philippines), Vice-Chairman, took the Chair.

9. Mr. WILLE (Norway) said that it was essential for the Commission to be kept informed of developments in the situation of indigenous populations - who, in many cases, did not enjoy fundamental rights and freedoms - so that, with the assistance of the Sub-Commission, it could do its utmost to try to put an end to the discrimination against them. For that reason, the Norwegian Government attached great importance to the work of the Working Group on Indigenous Populations, in which it had participated actively as an observer. It was pleased to note that, at its latest session, the Working Group had recommended that a working document should be drawn up containing a set of draft principles and a preamble, with the aim of producing a draft declaration of indigenous rights for, while the Working Group should continue to follow developments in the situation of indigenous populations throughout the world, it should also now concentrate on carrying out the second limb of its mandate, namely, standard-setting. That recommendation, which had been approved by the Sub-Commission at its thirty-ninth session, should now be considered by the Commission.

10. His delegation noted that the matters dealt with in draft resolution IX (Study on treaties concluded between indigenous peoples and States) had not been referred to the observers or representatives of States which might be concerned. It therefore asked for the Working Group's recommendation to be brought to the attention of Governments, specialized agencies and non-governmental organizations - including indigenous organizations - which should be able to convey their observations. It would be advisable not to consider the matter until the general outline of the study, which was to be referred to the Sub-Commission at its fortieth session, had been examined.
All parties concerned would then have the time to decide whether such a study would be useful for purposes of standard-setting, and whether it was compatible with the Working Group's mandate.

11. While his delegation was in favour of any measure designed to pay more attention to the problems of indigenous populations, and realized that no seminar on those problems had yet been held within the framework of the United Nations programme on human rights, it had certain reservations about the Sub-Commission's proposal (draft resolution VI) that a seminar should be organized in 1988, within the programme of advisory services, on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States. The cost would be extremely high, and the role of the programme of advisory services should, according to the recommendation of the Commission, increasingly be to provide concrete assistance to States, not to organize seminars. A more economical means of organizing such a seminar should therefore be found.

12. The Norwegian Government, which was convinced of the need to ensure the widest possible participation of indigenous representatives in the activities of the Working Group, had made a contribution of $US 20,000 to the Voluntary Fund for Indigenous Populations.

13. As it had done at the forty-third session, his delegation would submit a draft resolution on the Working Group's activities regarding indigenous populations, the chief purpose of which was to ensure the Commission's support for the Group. It trusted that the members of the Commission would once again adopt that resolution unanimously.

14. Mr. NCHAMA (International Movement for Fraternal Union among Races and Peoples), commenting on some of the resolutions submitted by the Sub-Commission and, first of all, on resolution 1987/14 (Recovery of nations' assets illegally removed by violators of human rights) said that the international community should find a way of enabling all those peoples subject to a dictatorial régime to recover the resources that belonged to them and devote them to development. It was most unjust that the peoples of the South did not have the capital to finance their development while an oligarchic minority had colossal fortunes, amassed by robbing the people.

15. Turning to resolution 1987/21 (Staff members of the United Nations and specialized agencies in detention), he said it was not his intention to pass judgement on anyone or to find excuses for international civil servants who engaged in activities incompatible with their functions. It was for the State which discovered such a breach of duty by one of its nationals to report the matter officially, and for the United Nations to find a way of guaranteeing the neutrality and independence of its officials more effectively. On the other hand, it was unacceptable for Member States to take hostage, for instance, United Nations officials and members of the Sub-Commission, WHO doctors, and UNESCO consultants. All those who served the international community should enjoy adequate protection and, of course, be sanctioned if they committed any breach of trust. With regard to decision 1987/107 (Individualization of prosecution and penalties, and repercussions of violations of human rights on families), the Sub-Commission had requested the Chairman to appoint one or more of its members to resolve, as a matter of urgency, the case of the children who had disappeared in Argentina and
recently been found again in Paraguay. As nothing had been done thus far in that connection, his Movement would ask the Chairman of the Sub-Commission to make sure that its decision was implemented.

16. With regard to the work of the Sub-Commission proper, his Movement recognized that the Sub-Commission had fully discharged its twin mandates, whereby it was required, on the one hand, to prepare studies on all forms of discrimination and, on the other, to carry out any other activity entrusted to it by the Economic and Social Council or by the Commission on Human Rights. It should, however, rationalize its programme of work and deal with violations of human rights and fundamental freedoms throughout the world in a more balanced way. While it was understandable that the Commission on Human Rights, composed as it was of representatives of States, could not, for political, military and indeed commercial reasons, adopt resolutions implicating specific countries, the Sub-Commission, which was composed of experts serving in their personal capacity, should be able to do so. Yet it had never spoken out against the tragic human rights violations committed by Idi Amin Dada against the Ugandan people, by Bokassa against the people of the Central African Republic, and by many other erstwhile sergeants in colonial armies who had become dictators. It might well be asked what were the reasons for that silence on the part of so-called independent experts. Since the principle of geographical distribution governed all the activities and decisions of United Nations organs, Africa should no longer be forgotten when it came to the protection of human rights. His Movement therefore proposed that the Sub-Commission, when drawing up its programme of work, should accord the same weight to the five recognized geographical regions.

17. Mr. EVANS (Commission of the Churches on International Affairs) said that the main object of the World Council of Churches, which comprised 300 churches throughout the world, was to protect the rights of the deprived and the disinherited. The Council was therefore particularly concerned with the fate of indigenous populations - too often forgotten - and encouraged and helped them to alert public opinion, particularly among Church members.

18. The Commission of the Churches on International Affairs had long been concerned about the destruction of the Earth's resources, a subject on which the indigenous peoples had sounded the alarm on numerous occasions. It hoped to strengthen its solidarity with the indigenous peoples in their struggle to regain their property rights and to preserve the integrity of their lands and resources.

19. The position of indigenous peoples was critical throughout the world and that of the Yanomani Indians in Brazil was unfortunately typical. Recently, some 10,000 prospectors had invaded their territory and penetrated as far as their sacred ancestral lands. The Government measures taken in that connection had probably contributed to the situation, which would result in 9,000 Yanomanis being deprived of their lands but also, and above all, in a threat to their very survival. Urgent action by the Commission on Human Rights was required.

20. In the search for peace, justice and the integrity of all creation, the Church had become its own critic. It now recognized the sad role it had played, and in some cases continued to play, as a more or less active accomplice in the cruel acts of injustice and exploitation perpetrated against the indigenous peoples. It was rediscovering its function as a liaison agent
and was trying to encourage other bodies, and even Governments, to move towards a compensatory justice. The Church was particularly active in that area in Australia and Canada.

21. The Commission of the Churches on International Affairs wished to pay a tribute to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which was doing useful work particularly through its Working Group on Indigenous Populations. It supported the four draft resolutions which dealt with the matter (VI, VII, VIII, and IX) and in particular draft resolution IX, in which the Sub-Commission recommended that a study should be undertaken on treaties concluded between indigenous peoples and States. That study should be carried out as soon as possible in view of the vital importance and urgency of land problems for indigenous peoples.

22. Mr. RAJANI (International Organization for the Elimination of All Forms of Racial Discrimination) recalled that, in his address to the Second World Conference to Combat Racism and Racial Discrimination in 1983, Mr. Means, of the American-Indian Movement (AIM), had pointed out that the delegates from the various States Members of the United Nations had comprised all colours of the family of man save red, by which he had meant the native peoples. Several years earlier a group of native peoples in Canada had made a similar observation in the declaration of the Dene Nation of July 1975 when they had noted that not one country in South America, where native peoples accounted for the vast majority of the population, had an Amerindian Government for the Amerindian peoples. Nowhere in the New World, the declaration had added, had the native peoples won the right to self-determination and the right to universal recognition as a distinct people and as nations.

23. Fears of possible indigenous population growth were met by plans for mass deportation, harassment and curtailment of work opportunities, to force indigenous people, and in particular the young, to emigrate. As if that were not enough, indigenous people were denied the right to return to their country and their right to a nationality, and were even made to undergo sterilization for alleged health reasons. Nor could the "final solution" be discounted, as was apparent from the massacre of the disadvantaged wherever they were to be found and wherever their presence or activities might challenge racist régimes, while stringent emergency regulations stifled any protest or demand for equality and human dignity. Where the disadvantaged did possess a separate national identity, it was suppressed and the culture and heritage of the people were obliterated and destroyed so that no trace of their presence in their country remained. Any manifestation of distinct national identity was suppressed, and even the use of a particular colour could be treated as a criminal offence if it happened to be the national colour of the disadvantaged.

24. The Commission's session provided a historic occasion for indigenous peoples. The Commission had before it a number of draft resolutions which the Sub-Commission recommended to it for adoption and which were supported by a broad representation of indigenous peoples throughout the world. They pertained to a proposal to proclaim an international year for the indigenous peoples of the world, which could contribute to a greater understanding of the situation of indigenous peoples, a study on treaties concluded between indigenous peoples and States, a study of the question of discrimination against indigenous peoples, and a draft declaration of principles on the rights of indigenous populations. The International Organization for the Elimination of All Forms of Racial Discrimination called upon the Commission...
to entrust Mrs. Daes, given her expertise and dedication, with the task of preparing a set of principles with a view to the adoption of a future declaration on the rights of indigenous populations, as recommended by the Sub-Commission.

25. It also urged Governments to contribute generously to the United Nations Voluntary Fund for Indigenous Populations, so that the travel expenses of representatives to the session of the Working Group on Indigenous Populations could be met. The representatives of the Indian Lil Wat Nation from Canada had had to leave Geneva during the first week of the Commission's session because of lack of financial resources, and had therefore been unable to present their case to the Commission.

26. His Organization called upon the Commission to approve the draft resolutions of the Sub-Commission and thereby to reaffirm its support for the human rights of indigenous peoples throughout the world. It also wondered, in view of the measures recently taken against all anti-apartheid organizations in South Africa, and on the eve of the election of the members of the Sub-Commission, whether the African States could not propose to the Commission the candidature of a leading South African personality who was in the forefront of the struggle against apartheid.

27. Mr. Sene (Senegal), Chairman, resumed the Chair.

28. Mr. LITTMAN (World Union for Progressive Judaism) said that, in regard to item 19, particular reference should be made to the Sub-Commission's resolution 1987/33, concerning the elimination of all forms of intolerance and of discrimination based on religion or belief, and its decision 1987/105, concerning the right of everyone to leave any country, including his own, and to return to his country, when considering the present situation of two ancient Jewish communities or minorities with which the Commission should concern itself as a matter of urgency.

29. First of all, he drew attention to the situation of the Jews of the Syrian Arab Republic, who formed the subject of documents E/CN.4/1987/NGO/73 and 74 and to whom reference had been made in the report by Mr. d'Almeida Ribeiro (E/CN.4/1987/35). The Syrian Arab Republic was denying the right of about 250 young single Jewish women to go abroad in order to marry, have children and bring them up in the religion of their ancestors. According to the interpreter, the observer for the Syrian Arab Republic had merely indicated, somewhat ambiguously, that his country's Government was proud of the manner in which it was treating the Jews; he had then made some jokes in the worst possible taste, concerning young Jewish women who had emigrated to the United States, that were directed against that country, whose Congress had recently referred to its Foreign Affairs Committee a bill of law concerning, inter alia, the fate of the Jews in the Arab countries, particularly in the Syrian Arab Republic. Mr. Jacques Chirac, the French Prime Minister, had also declared, in a statement delivered in Israel and published in the newspaper *Le Monde* on 5 November 1987, that he had already requested the President of the Syrian Arab Republic to permit the emigration from Syria of young Jewish women wishing to leave that country because of their inability to find a husband within their community. In the absence of a favourable response to his request, Mr. Chirac had decided not to visit the Syrian Arab Republic until significant progress had been made in that connection. Mr. Littman concluded his comments on that question by deploiring
the lack of respect that the observer for the Syrian Arab Republic had shown towards the World Union for Progressive Judaism and other Jewish organizations. The appeal for courtesy that the Chairman of the Commission had made at the beginning of the current session had apparently not been heard by that observer.

30. He then referred to the question of the ancient Jewish community in Ethiopia, numbering fewer than 30,000 persons, which was known as the Falashas or, more correctly, the Beta Israel (House of Israel), that being the name that they themselves used. He had concluded his statement on items 6 and 17 (b) by appealing for the release of Nelson Mandela and for the reunification of the Ethiopian Jewish families. However, the representative of Ethiopia had responded to that humanitarian appeal by affirming that the Falashas had never been Jews but, on the contrary, had been abducted and Judaized by force in Israel, and by accusing the representative of the World Union for Progressive Judaism of conducting a campaign to depopulate an African State. In that connection, it should be borne in mind that the Ethiopian population was estimated at more than 40 million persons, of whom almost 6 million were suffering from the worst famine that had ever afflicted that unfortunate country. It was inconceivable that the Beta Israel, whose dream of finding their way back to Zion had finally come true, should be sent back in their thousands to the north of that country where the famine was most severe. It would take him too long to give an account of that community's 2,500-year history. However, anyone who was interested could consult the documentation that he had brought with him, consisting of a magazine, books and a photocopy of a painting that portrayed a Jewish wedding in Ethiopia. Finally, he referred to the international petition bearing more than 300 signatures, which had been circulated by Irwin Cotler, a Canadian defender of human rights, and subsequently transmitted, in 1987, to Mengistu Haile Mariam by several Nobel Prize-winners and defenders of human rights from various countries with a request that his Government should permit the Ethiopian Jews to join their relatives in Israel. Most of the signatories were not Jews but African and Indian personalities, such as Ram Jethmalani, the President of the Indian Bar Association, and Amos Wako, an ardent Kenyan defender of human rights who was well known at the United Nations. That was a sufficient basis for recognizing that the members of the Beta Israel formed part of the Jewish people and wished to leave Ethiopia. Since Moses had married an Ethiopian, he thought it particularly appropriate to reiterate the plea that Moses himself had made to Pharaoh who, unfortunately, had persistently refused to listen to reason: "Let my people go!".

31. Mr. DESPOUY (Chairman of the Sub-Commission) assured the members of the Commission that he would transmit to the members of the Sub-Commission their views on the latter's report. During the debate, comments had been made on several aspects, such as the work of the Sub-Commission at its thirty-ninth session; its methods of work, its mandate and the role of experts; and the conclusions to be drawn from those two areas.

32. Firstly, three questions had drawn the attention of the Commission. Much had been said on the various reports prepared by the Sub-Commission, which had been regarded as enhancing the quality of the Commission's debates. Reference had been made to their technical quality and the professional approach of their authors and regrets had been expressed that, due to lack of time, the Sub-Commission had not been able to deal with three of the issues entrusted to it. Emphasis had been laid on the need for a review of the activities of the
various working groups, and particularly the sessional Working Group on Detention and the Working Group on Slavery, with a view to adapting them as soon as possible to the requirements of the current problems. There was agreement concerning the need to maintain and strengthen the Working Group on Indigenous Populations, which was the most representative body where indigenous peoples could express their views and concerns, as had been illustrated by the participation of more than 300 persons at the previous session. Furthermore, that Working Group would obviously play a decisive role in the subsequent activities of the Sub-Commission.

33. Secondly, the comments made on the methods of work and mandate of the Sub-Commission, as well as the independence of the experts, should be studied more thoroughly. First of all, the Sub-Commission should take account of constructive comments, supported by clear examples, concerning overlapping activities and the need to establish an order of priorities, to avoid discussions of a procedural nature, to conclude consideration of questions that had been discussed for many years, and not to begin new studies before completing those that had been entrusted to it by the Economic and Social Council through the Commission. Emphasis had also been laid on the three principal requirements to be met by experts: independence, competence and motivation. Finally, the hope had been expressed that the Sub-Commission's next report would contain details concerning the situation of Mr. Mazilu in order to dispel the anxiety that was being felt in his regard. He then referred to the problem of the Argentine children who had been traced in Paraguay, which had been raised by a non-governmental organization, and expressed the hope that the mission that it was planned to dispatch in that connection would be able to discharge its task and would receive support from all the competent authorities.

34. In conclusion, he thought that the Commission's discussions had been positive. They had reaffirmed the effective role that the Sub-Commission should play as a subsidiary organ of the Commission and as an expert body that carried out in-depth studies and considered the most serious problems from a didactic standpoint. The Commission's discussions on agenda item 19 had been characterized by an extremely constructive approach, clearly defined ideas and a desire for co-operation.

35. Mr. GLATIEL (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said that, on the previous day, the observer for the Zionist entity had attacked his country, against which he had made false accusations, particularly in regard to the Brunner case, of which the Syrian Arab Republic knew nothing. International zionism seemed to possess a wealth of information concerning the war criminals that it was pursuing, disregarding the fact that it had collaborated with nazism from the outset. Everyone knew the history of Zionist collusion with Germany, going back to the days of Herzl, who had requested the Kaiser to persuade Turkey to turn Palestine into a "Jewish national home". However, Turkey had refused to play into the hands of the Zionists who, for their part, had thrown themselves into the service of German interests. When anti-Semitism had increased in Germany, the Zionists had concluded an agreement with Hitler under which the wealthy Jews had been allowed to leave Germany and had received the equivalent of $200 million in compensation in the form of German products exported to Palestine. During the Eichmann trial, it had been alleged that "Brunner", together with Eichmann, had collaborated with the Zionists to facilitate the emigration of Jews to Palestine. To that end, agricultural and military training camps had been
established near Vienna to accommodate young Jews who had been taught Hebrew before leaving for Palestine. Nazis and Zionists had also collaborated in the integration of Jews in various countries. He would refrain from giving further details concerning that collusion, to which reference had already been made.

36. The self-styled representative of the World Union for Progressive Judaism did not represent progressive Judaism. He was a spokesman for Zionism, in all its forms. His false allegations were not surprising, since they were consistent with the teachings and premises of Zionism. He had regarded his (Mr. Glaiel's) remarks as a joke and had tried to pin responsibility on the interpreters. What he (Mr. Glaiel) had in fact said was that his country was proud of being free from racial discrimination. It was preferable not to resort to lies, since the words of each speaker were recorded and reflected in the summary record of the meeting. Far from confining himself to the defence of Israel, the representative of the World Union for Progressive Judaism had also set himself up as a defender of great Powers, as though the latter were incapable of looking after their interests. The question of the young Jewish women had already been discussed on 22 March.

37. The time had come to reconsider the question of participation in the discussions by some non-governmental organizations which brought the Commission into disrepute and disrupted its deliberations. His delegation would be raising that problem at the next session of the Economic and Social Council.

38. Mr. HAILE MARIAM GOSHU (Ethiopia) said that his delegation had clearly explained the Ethiopian Government's position in regard to the Falashas, who had been abducted and taken to Israel, and he merely wished to clarify certain points. The Falashas were a central component of Ethiopian society. In fact, the origins of the Zagwe dynasty, which had governed Ethiopia from the ninth to the thirteenth centuries, could be traced to the Falashas. The latter were primarily Ethiopians and remained so even after their abduction. The Ethiopian Government was duty-bound to ensure their rapid repatriation. What Israel and its surrogates, such as the World Union for Progressive Judaism, frequently disregarded in their futile campaign to depopulate a black African State proud of its long history of independence was the serious consequences that their activities could have for the freedom and independence of States. If developed States suffering from a lack of manpower began to deceive people in an attempt to uproot them from their ancestral land, where would it all end? If the Christian minorities in a particular country were all forced to return to Rome or to any other country that claimed them, if all the Muslims had to be taken to Makkah or any other place for resettlement, and if all those persons whom Israel erroneously regarded as having Jewish blood were to be abducted and transferred to Israel, what would happen to the country in question? That state of affairs posed a serious threat to the current demographic composition of States and to the international status quo.

39. The representative of the World Union for Progressive Judaism had made an appeal for family reunification. In that connection, Ethiopia was surely the best place in which to reunify families some of whose members had been uprooted by force.
40. The remarks made by organizations such as the World Union for Progressive Judaism were highly hypocritical. None other than Mrs. Golda Meir, former Prime Minister of Israel, had declared that the Falashas were not Jews. The Grand Rabbi of Israel himself had also expressed serious doubts concerning the Jewishness of the Falashas. The requirements to which the Falashas had been forced to submit in Israel showed that there had never been agreement or consensus concerning their status. The Falashas were Ethiopians who had been abducted and transported to Israel at great expense, an operation from which a vast network of financial middlemen had derived considerable profit. That constituted a large-scale conspiracy that bore the stigma of the odious mass abductions of slaves in past centuries and, as such, should be unequivocally condemned.

41. Finally, his delegation had been particularly shocked by the fact that the representative of the World Union for Progressive Judaism had described Ethiopia as an "unfortunate" country. Such a term was inappropriate and in the worst possible taste. No Government had any control whatsoever over natural disasters.

STATEMENT BY THE CHAIRMAN

42. The CHAIRMAN said that, according to information received from South Africa, 17 organizations, including UDF and COSATU, had just been banned. Although those organizations retained their legal status, they were prohibited from engaging in any form of activity. Those measures, which were the most serious that had been taken since 12 June 1986, were causing grave concern among all observers of the situation in South Africa. Accordingly, he suggested that an appeal should be made to the South African authorities to lift those prohibitions. He read out the following draft decision, which had formed the subject of numerous consultations and on which a consensus had been reached:

"The Commission on Human Rights, gravely concerned about the rapidly deteriorating human rights situation in South Africa, expresses its profound indignation at the reports of the banning and restrictions imposed by the Government of South Africa on a large number of civic and other mass organizations and their leaders in the country with effect from 24 February 1988, which constitutes a total denial of the right of free expression to the majority of the people, decides to send an urgent message to the South African authorities to lift immediately the ban and other restrictions on all black civic, political and trade-union organizations and their leaders in South Africa and thus to create the necessary conditions for genuine dialogue, and decides further to request the Secretary-General to intervene as a matter of urgency with a view to defusing this explosive situation."

43. The draft decision was adopted.


44. Mr. MARTENSON (Under-Secretary-General for Human Rights) first of all introduced item 21 and recapitulated the various resolutions concerning the question of measures to be taken against all totalitarian or other ideologies and practices that the General Assembly had adopted since 1967, namely: resolution 2331 (XXII), resolution 2839 (XXVI), resolution 35/200 and resolution 36/162, in accordance with which the Commission on Human Rights had been considering that question since its thirty-eighth session. The Commission had adopted several resolutions, particularly resolution 1986/61, in which it had decided to include that question on the agenda of its forty-fourth session and, subsequently, to consider that item every two years. For its part, the General Assembly had adopted resolution 40/140 of 13 December 1985, and subsequently resolution 41/160 of 4 December 1986, in which it had once again condemned all totalitarian or other ideologies and practices that deprived people of basic human rights and fundamental freedoms and of equality of opportunity, and expressed its determination to combat those practices. In those resolutions, it had also requested the Secretary-General to submit to it at its forty-third session, through the Economic and Social Council, a report prepared in the light of the discussion that would take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations.

45. He then introduced agenda item 15, concerning human rights and scientific and technological developments, and reviewed the resolutions that had been adopted in that connection by the General Assembly and the Commission on Human Rights. First of all, he referred to resolution 1986/9 which had been adopted by the Commission on 10 March 1986, in which the United Nations University had been invited, in co-operation with other interested academic and research institutes, to study both the positive and the negative impacts of scientific and technological developments on human rights and fundamental freedoms. The Commission therefore had before it a preliminary report on that question, which had been prepared pursuant to that resolution and circulated as document E/CN.4/1988/48.

46. Moreover, in its resolution 1986/10 of 10 March 1986, the Commission had requested the Secretary-General to submit to it at its forty-fourth session an updated report on the implementation of that resolution. That report was before the Commission in document E/CN.4/1988/29. Finally, in its resolution 1986/11, the Commission had requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake as a matter of priority a study on the use of the achievements of scientific and technological progress to ensure the right to work and development, and had decided to consider that study as a matter of priority at its forty-fourth session under the agenda item currently being discussed.
47. In its resolution 1986/12, the Commission had also urged the Sub-Commission, as a matter of high priority, to allocate sufficient time to its sessional working group to prepare a draft body of principles, guidelines and guarantees on the question of persons detained on the grounds of mental ill-health or suffering from mental disorder. At the thirty-ninth session, the Sub-Commission's Working Group had approved articles 8, 9 and 10 of that draft and, in its resolution 42/98, the General Assembly had urged the Commission to expedite its consideration of the draft body of guidelines, principles and guarantees in order to submit its views and recommendations, including the draft body, to the General Assembly at its forty-fourth session.

48. In addition, in its resolution 42/99, the General Assembly had called upon States that had not yet done so to take effective measures to prohibit, in conformity with the International Covenant on Civil and Political Rights, all propaganda for war, particularly nuclear war, and had declared that it looked forward to further efforts by the Commission on Human Rights with a view to ensuring the inherent right of all peoples and all individuals to life. In its resolution 42/100, the General Assembly had also invited the Commission to take appropriate measures to assist the Sub-Commission in preparing the study requested by the Commission in its resolutions 1982/4, 1984/29 and 1986/11. The Sub-Commission had not yet taken any action to carry out that study.

49. Finally, he drew attention to the Sub-Commission's resolutions 1985/7 and 14 on the question of human rights and scientific and technological developments. In the former, the Sub-Commission had requested the Secretary-General to communicate the text of the resolution to all Governments so that they could inform transnational corporations and enterprises operating under their jurisdiction and obtain the relevant information concerning the practices followed by those corporations and enterprises regarding the disclosure to Governments, employees, consumers and the general public of the information that they possessed concerning the actual and potential dangers of their processes, products and technologies. In its resolution 1985/14, the Sub-Commission had welcomed the study prepared by Mr. Louis Joinet on the guidelines concerning the use of computerized personal files and had requested the Secretary-General to continue to obtain the comments and suggestions of Governments so that the Special Rapporteur could submit the final report on guidelines to the Sub-Commission at its fortieth session. Finally, in its resolution 1985/34, the Sub-Commission had decided to consider the question of human rights and scientific and technological developments on a biennial basis, starting at its fortieth session.

50. Mr. ISMAILOV (Union of Soviet Socialist Republics), speaking on item 21, recalled that it was precisely during the struggle against the forces of nazism that the United Nations had been established. The General Assembly had persistently expressed its concern at that type of ideology, which was contrary to the principles of the United Nations and constituted a threat to world peace and security. However, practices based on racism had unfortunately not disappeared. In South Africa, apartheid had assumed the form of anti-black terrorism and had virtually transformed the country into a gigantic concentration camp. In Palestine, an entire people had been deprived of its homeland and was being subjected to a system of occupation by military force. The methods used in Palestine were reminiscent of the crimes of Hitler, as were those used by the military junta that had overthrown President Allende in Chile.
51. The USSR wished to warn against an extremely dangerous modern manifestation of totalitarianism, namely militarism, which had pervaded all sectors of international life, had dominated economic, political and even spiritual interests and was being sustained by ideas of domination, hostility and hate in regard to everything that was different. The aim of militarism was to revive the cold war to the extent of triggering a nuclear war. That militarism had given rise to racist, Nazi, neo-Fascist and terrorist organizations and groups, the common denominator of which was intolerance, clericalism, racism, anti-Semitism and anti-communism. Some organizations already had military units and stocks of weapons and had formed gangs of mercenaries. They possessed all the means needed for their venomous propaganda.

52. Extreme right-wing totalitarianism was engaged in the same type of activity and was seeking to destroy democracy through acts of terrorism. Fascist and neo-Nazi organizations were collaborating with organized crime and the international drug traffic. It was well known that the upsurge of terrorism was frequently linked to totalitarian ideologies and practices. Acts of terrorism often claimed many victims and therefore constituted flagrant violations of human rights and, primarily, the right to life. That was why the USSR was struggling to strengthen international co-operation to combat terrorism, which posed a permanent threat. There was a risk that the increase in nuclear weaponry might be used by those who were spreading totalitarian and terrorist propaganda. The world was currently witnessing a resurgence of acts of terror committed by Fascist, neo-Fascist and extremist organizations. The time had therefore come for co-operation to impede those activities and provide safeguards to prevent Fascist, neo-Fascist and extremist forces from gaining access to, and using, nuclear weapons.

53. Those who were teaching and supporting Fascist, Nazi and neo-Nazi practices were often themselves Nazi criminals who had succeeded in hiding and escaping punishment. In that respect also, there was a need to strengthen international co-operation in order to track down those criminals and bring them to justice, as had already been done in some cases, such as that of Klaus Barbie. However, thousands of killers were still in hiding. Contemporary international law prohibited ideas based on totalitarianism, nazism and fascism and, therefore, posed the question of the international responsibility of the persons guilty of such crimes.

54. The organizations defending totalitarian, Nazi and Fascist ideas were gaining strength and openly expressing their ideologies in several countries where they were taking advantage of the laxity of some circles that did not wish to take effective legal and administrative measures to prosecute those organizations. In view of the real threat that the latter posed to human rights, democracy and peace, the USSR had always advocated the strengthening of international co-operation, within the framework of the United Nations, to eliminate those dangerous movements. The Soviet Union believed that the detrimental influence that those organizations exerted on all human rights should form the subject of an in-depth study by the Commission on Human Rights and the Sub-Commission. The USSR was also in favour of the proclamation, on 1 September 1989, of a week to combat fascism, neo-fascism and other ideologies and practices based on terror, racial hatred and denial of human rights. It believed that a special effort should be made to teach the younger generation to respect international law and fundamental rights and freedoms.
and to reject Fascist and neo-Fascist ideologies, as well as practices based on hatred, terror and racial and national violence, and that the United Nations and its Secretariat should contribute to that important task.

55. Mr. RICHTER (German Democratic Republic) stated that, given the existing international economic situation, the discussion of measures to be taken against all totalitarian and other ideologies and practices, including nazism, fascism and neo-fascism, was increasingly important. With the signing of the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles, people all over the world were hopeful that a spirit of co-operation and understanding among nations would prevail in efforts to stave off the danger of a nuclear conflagration and help resolve other major global issues. It could not be denied that the conclusion of that Treaty was a decisive step towards a decrease in confrontation and the creation of an atmosphere of trust in international relations.

56. Given such an encouraging development, the Commission on Human Rights should persist in its efforts to resolutely counteract Fascist and totalitarian ideologies and practices, with their inherent dangers for international peace and security; in that quest, it should unwaveringly stand up for the implementation of fundamental rights. The United Nations stipulated in its Charter that its principal goals were, inter alia, to save future generations from the scourge of war and to promote social progress and better standards of life in larger freedom. Those ideas were more relevant than ever today. Fascism, the use of force, terrorism, chauvinism and racism were diametrically opposed to those goals and were far from having been overcome. Racist ideas continued to be disseminated in a number of countries; policies of exclusivism, violence and terrorism were openly defended and even used as means to solve certain current problems. That went hand in hand with public glorification of Nazi crimes as heroic deeds.

57. It should be noted that such ideas and practices were not championed by just a handful of die-hards hanging on to a despicable past. Fascist slogans seemed to have gained a foothold again among certain groups of the younger generation; and, whatever their disguise, groups and organizations of a Fascist nature, in various countries, represented a far-right potential that could not be overlooked. Those groups were closely intertwined, and co-ordinated and were even organized on an international scale. Wherever crisis drove masses of people towards hopelessness, Fascist demagoguery found a breeding ground. It could be proved that Fascist circuits infiltrated legitimate protest movements, so as to paint the latter's actions as criminal in the eyes of the general public. The same Fascist circuits also instigated acts of violence against foreigners and anyone who held an opinion different from their own. The Fascists were sometimes even the ringleaders of such acts. There was no denying that Fascist circuits and their sympathizers cultivated close relations with international terrorist forces.

58. A particularly repugnant and odious manifestation of fascism that everyone in the world could see was the official doctrine of apartheid professed by the Pretoria régime. Everyone was aware of the collusion between the architects of the apartheid policy and Fascist leaders. There were many laws and regulations in South Africa, whereby South Africa's rulers wielded power over millions of non-whites, which resembled Nazi decrees. All such factors clearly indicated the dangers inherent in racist and Fascist ideologies based on totalitarianism. Crimes against the South African
population, the occupation of foreign territory, terrorist acts against other States as well as military and logistical support for reactionary gangs which South Africa used to destabilize sovereign States in the region, were everyday practices for the Pretoria régime.

59. In its report on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid (E/CN.4/1988/32), the Group of Three had stressed that racism, the official policy of the South Africa régime had its roots in fascism. So that that policy did not have the same disastrous consequences as fascism, the Group of Three had demanded that the crime of apartheid should be strictly punished as a form of genocide, falling under the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. The German Democratic Republic fully endorsed that recommendation.

60. The German Democratic Republic supported the elimination of all forms of fascism and it had done its utmost, through legislation, its judicial system, its humanist education system and its principles of authentic democratic and socialist development, to ensure that fascism never reappeared on its territory. His country had systematically exposed both Fascist and war crimes, and had helped other countries to do likewise. It had made available evidence that had been used in the Klaus Barbie trial, and it had also provided thousands of pages of documents for the inquiry on the members of the Fascist People's Court.

61. The suppression of all forms of fascism, nazism and neo-fascism must remain a principal task for the United Nations, which had expressed, through the Commission and the General Assembly, the resolve of the Member States to act on a national and international level to halt all such activities. Through the unanimous adoption of resolution 1987/4, the Sub-Commission had made a significant contribution to the achievement of that goal. In the resolution, the Sub-Commission had voiced concern about the resurgence of Nazi ideas and their diffusion, as well as the attempt to deny the acts of genocide committed under the inspiration of Nazi ideology; it had also called upon all Governments to take all possible initiatives in conformity with internal and international law to put an end to neo-Nazi propaganda and other activities and had invited civil and religious authorities to join efforts to that effect and to co-operate closely to that end with youth organizations. It was imperative that fascism and international terrorism be uprooted in order to safeguard international peace, security and co-operation. Each State should ensure that no action was undertaken from its territory which was inconsistent with international law. Moreover, all States Member of the United Nations that had not yet done so should accede to the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, 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.

62. For its part the German Democratic Republic would honour its obligations as a State Member of the United Nations and a party to the international instruments he had mentioned, just as it had in the past. It hoped that the Commission, in a desire to contribute to the elimination of fascism and all other activities inconsistent with the Charter, would support a resolution to that effect.
63. Mr. KOLAROV (Bulgaria) stated that the reason the Commission was still examining the question of measures to be taken against all totalitarian ideologies and practices was that, more than 40 years after the Second World War, the danger of fascism had not disappeared. In several parts of the world Fascist practices and propaganda persisted and totalitarian dictatorships and terrorist groups continued to pose a real threat to international peace and security. In its resolution 41/160, the General Assembly expressed its anxiety about the fact that racism, colonialism and other forms of totalitarianism continued to exist, to the detriment of the dignity, equality and rights of human beings.

64. Fascism was not only an ideology - based on racist or ethnic prejudices - or the practice of mass violations of human rights; it was also an official policy of militarism, world domination and extermination of peoples considered to be inferior. Although, historically, fascism was a relatively recent phenomenon, before and during the Second World War it had caused more suffering than perhaps mankind had known throughout its history. The memory of the millions of victims of fascism and of nazism made it imperative for the international community to prevent the revival of such practices, in whatever form, in order to save future generations from the scourge of war, and to reaffirm its faith in human rights and in the dignity of the human person. In the context of such goals, which had found expression in the Charter of the United Nations, the issue acquired particular importance.

65. Since its creation, the United Nations had adopted a number of international instruments in the social and humanitarian fields, which constituted a basis for the effective protection of human rights and for international co-operation to eliminate mass violations of such rights. What was now needed was the universalization of those international instruments, monitoring of the strict application of their provisions and incorporation of the relevant standards into national legislation so as to create conditions in all countries which would guarantee the existence of a political system designed to ensure the effective protection of human rights and the direct participation of the population in all aspects of democratic life, namely, conditions which prevented the revival of fascism. It was against that background that his delegation supported the appeal made to the Member States by the General Assembly in its resolution 41/160, which called for the adoption, in accordance with their national constitutional systems and with the provisions of the Universal Declaration of Human Rights and the International Covenants on Human Rights, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and of war propaganda, including Nazi, Fascist and neo-Fascist ideologies.

66. Fascism continued to be the last resort of the extreme-right forces, as had been the case some 50 years before. Its methods had hardly changed and still included terrorism and general destabilization, national chauvinism and the dissemination of racist ideas and the incitement of social tension. Of particular concern was the fact that in certain countries totalitarian ideas were raised to the rank of official policy. In that respect it could be recalled that in resolution 1986/61 the Commission had stated that the doctrines of racial or ethnic superiority on which the totalitarian entities and régimes were based contradicted the spirit and principles of the United Nations, and that the realization of such doctrines led to wars, violations of human rights and crimes against humanity, and created obstacles
for friendly relations among nations and for social progress in the world. In various parts of the world where the human rights situation was such that it had been included on the agenda of the Commission and of other United Nations bodies for many years, there were numerous examples of the incompatibility of totalitarian ideologies and practices with the effective promotion of human rights as well as of the threat posed by such ideologies to international peace and security. His delegation was particularly concerned by the fact that, despite the repeated appeals of the overwhelming majority of the international community for the elimination of the inhuman policies and practices prevailing in those parts of the world, there still existed forces opposed to democratization whose political, economic and financial interests seemingly took precedence over the promotion and protection of human rights.

67. In conclusion, his delegation reiterated that only through the collective effort of all Member States, in accordance with the principles of the Charter and the provisions of the international instruments on human rights would it be possible to eliminate the danger of fascism and neo-fascism and totalitarian régimes.

68. Mr. KOMISSAROV (Byelorussian Soviet Socialist Republic) recalled that 1989 would mark the fiftieth anniversary of the beginning of the Second World War, born out of fascism. That conflict, which had involved 61 countries accounting for 80 per cent of the world's population, had claimed 50 million victims and had been characterized by, amongst other odious crimes, a "cleaning-up operation" of those territories invaded by the Fascist forces, by the implementation of the so-called "final solution", by the use of crematoria and even by the "recycling" of human remains. In the Byelorussian SSR alone, 2,230,000 people, or one in four of the population, had lost their lives. The 10 millionth Byelorussian, who had been born in 1985, would have been born in 1950 had it not have been for the war. At the Nürnberg trials, the United States prosecutor had stated that the Nazi war criminals represented evil forces that would continue to exist long after the bodies of all the victims had been incinerated.

69. The danger of fascism still existed with its roots in racism and in totalitarian ideologies based on racial exclusivism and intolerance. Neo-Fascist forces were experiencing a renaissance even in countries where one would least expect to find the phenomenon. It was clear that those evil elements were in possession of substantial financial means and were backed up in their activities by the armed forces and the police. Fascist or neo-Fascist groups currently existed in some 60 countries, in which neo-Nazi elements were trying to organize themselves into major parties. The resurgence of fascism in the 1980s was the result of current economic and social policies characterized by the arms race with a backdrop of economic crisis, by anti-Sovietism and anti-communism and by violations of human rights. The far-right organizations were attracting more and more young people, particularly those without a job or those who had received inadequate ideological instruction. It was therefore absolutely vital to instil into the young respect for the rights of other peoples and other ideologies. Certain States were dangerously lax vis-à-vis neo-Fascist and neo-Nazi movements and seemed unaware that the activities of such groups represented a threat not only to human rights and fundamental liberties but also to international peace and security. In the name of respect for freedom of expression and opinion, some States tended to forget that article 19 of the International Covenant on Civil and Political Rights laid down that the exercise of such liberties could
be subject to certain restrictions necessary for respect of the rights or reputations of others, or for the protection of national security, public order, or public health or morals. Article 20 of the Covenant stated that any propaganda for war should be prohibited by law, as should any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. There had recently been attempts to label the socialist States as "totalitarian" and to hide the real nature of fascism. Such efforts were in vain because socialism had nothing in common with totalitarianism. Totalitarian régimes incited hatred, collaborated with Fascist or racist régimes and violated their international obligations, particularly in the area of respect for human rights. On a domestic level, totalitarianism was characterized by the domination of the military and industrial sectors, by the militarization of all aspects of life and by the existence of repressive mechanisms which facilitated surveillance of individuals and groups of individuals and particularly opponents of the régime.

70. With regard to the responsibility of Nazi war criminals, Bulgaria believed that it was incumbent on each State to seek out, arrest and punish all war criminals. He pointed out that 80,000 Fascist murderers had still not been found and that some States were more active than others with regard to that issue. That matter had been dealt with by the Sub-Commission in resolution 1987/4. His delegation stressed that it was vital for Nazi war crimes to continue not to be subject to statutory limitations, in the name of the millions of people who had been their victims. A British researcher had recently emphasized that it was quite wrong to argue that that matter could be set aside because most people were now anti-Fascist. It was precisely such a head-in-the-sand attitude that had favoured the rise of fascism in Europe and that ought to be a warning for those who sought to play down the impact of fascism and neo-fascism. The United Nations had been created after the victory of the Allies over nazism and fascism to spare future generations from the scourge of war. The struggle against such phenomena was therefore an essential element of the efforts made by all Member States to strengthen international peace and security.

71. Mrs. KLARSTELD (Co-ordinating Board of Jewish Organizations/World Jewish Congress) stated that one of the elements which most encouraged the resurgence of Nazi doctrines, and thereby neo-nazism, was the falsification of history to deny the genocide of the Jews and other victims of racial hatred. That was why the Sub-Commission, in resolution 1987/4, had urged all States to take the necessary steps, including those in their domestic jurisdiction, to give full implementation to international co-operation to secure, preferably in the place where they had committed their deeds, the just punishment of war criminals and persons who had committed crimes against mankind.

72. Forty-five years previously a mass crime with no comparable precedent had taken place: namely the systematic attempt by the Hitler régime, with the help of numerous local collaborators, to exterminate the Jewish people in Europe. Jewish families all over Europe had been crammed into trucks bound for the death camps at Auschwitz, Treblinka and Sobibor. Forty-five years previously to the very day, a death train had arrived in Auschwitz transporting 1,101 Jews, of whom 1,014 had been gassed immediately. Such a unique tragedy in the history of mankind was a tragedy for the Jewish people, but also for the German people and for the whole of humanity. Nazi crimes had so profoundly shocked world opinion that the punishment of Nazi criminals had, since the end of the war, never ceased to be a permanent concern of the
civilized world. Exemplary sentences for Nazi criminals were the best way to
demonstrate exactly what racial hatred could lead to, to steer the young away
from totalitarian ideologies and intolerance and to teach young people respect
for human rights.

73. It was that demand for justice that explained the succession of trials of
major Nazi criminals and their accomplices by both international military
courts, as in Nürnberg, and national courts, as in the case of Adolf Eichmann
in Jerusalem, Klaus Barbie in Lyon, Kurt Lischka in Cologne and Artuković in
Zagreb. That was why even today in the United States those who had entered
the country helped by the "cold war" situation, and who had participated in
the "final solution", were still being tried, deported and extradited. That
demand for justice also explained why, in 1948, the General Assembly of the
United Nations had adopted the Convention on the Prevention and Punishment of
the Crime of Genocide, article VI of which stated that persons charged with
genocide should be tried by a competent tribunal of the State in the territory
of which the act was committed, or by the competent international penal
tribunal. The Convention also facilitated extradition by stipulating that
 genocide should not be considered as a political crime for the purpose of
extradition. It was that demand for justice that explained why, in 1968, the
General Assembly had adopted the Convention on the Non-Applicability of
Statutory Limitations to War Crimes and Crimes against Humanity.

74. So that every last Nazi criminal might be tried, in 1979 the Federal
Republic of Germany had abolished the legal time-limit that would normally
have come into force in that year. The organizations which she represented
had participated in that campaign and had tried to keep the promise, which the
allied forces had barely done, to pursue Nazi criminals to the ends of the
earth. In Bolivia, Chile and Paraguay, where dictatorships were protecting
Nazi criminals, she had personally worked to bring Barbie, Rauff and Mengele
to justice. Twenty years previously in Germany she had opposed the
rehabilitation of nazism through a Chancellor who had been one of the leaders
of Hitlerian propaganda. During the previous two years she had been fighting
a campaign in Austria against the presence, at the head of the Austrian State,
of a man who had been part of a criminal military staff, and whose lies and
egotistical behaviour were causing serious harm to his country, the
United Nations and political morality.

75. The case of another Austrian posed a serious problem: the major Nazi
criminal in question, who was on the run and whose whereabouts had been
proved, was being obstinately protected from punishment by the country which
had accorded him hospitality, when Jews in that country were not free to leave
for the land of their choice. The criminal in question was Alois Brunner, the
right-hand man of Eichmann, and the country defying international law and
public opinion was Syria. Alois Brunner had directed the deportation of
48,000 Austrian Jews, as well as the Jewish community in Berlin and
43,000 Jews in Greek Macedonia. In France between June 1943 and August 1944
he had been in charge of the camp at Drancy and had deported 23,000 Jews,
including the 250 children from the Jewish Children's Home in Paris. Lastly,
Brunner had deported 12,000 Jews from Slovakia before taking refuge in Syria
like other major criminals such as Rauff and Rademacher.
76. Brunner's presence in Syria had been a well-known fact since 1960. In 1961 Israel had unsuccessfully requested his extradition and in 1962 the World Jewish Congress had revealed Brunner's address; he was living in Damascus under the name of Fischer. Her husband had been denied entry to Syria, as she had herself in 1987. On 19 December 1984 the Embassy of the Federal Republic of Germany in Damascus had presented a request for extradition, but in its reply the Syrian Government had claimed to be unaware of Brunner's presence in its territory. Such a denial had become ridiculous when, in October 1985, the magazine Bunte had published a long interview with Brunner in Damascus, illustrated by several photographs. A second request by the Federal Republic of Germany, however, had been met by the same improbable response. To commemorate the forty-fifth anniversary of the sinister Wannsee Conference, Interpol had by way of exception agreed to take action in the area of Nazi crimes by transmitting the information that Brunner was wanted by the German authorities to all States Members of that organization, including Syria, which had still found no trace of Brunner despite having an efficient police force. Was it conceivable that the Syrian police was incapable of tracking down one of the world's biggest criminals when it had been given his name and address and he had three official permanent bodyguards? On 30 October 1987, talking by telephone to a Chicago journalist who had asked him about his activities against the Jews, Brunner had said that they had all deserved to die because they had been agents of the devil and the dregs of humanity. Brunner had added that he had no regrets and that he would do the same thing all over again. A few days later one of the candidates for the nomination of the Democratic party in the United States presidential elections, Jesse Jackson, had written to President Assad to ask him to make inquiries into the Brunner case with a view to extradition. As far as she knew, President Assad had not replied to that letter or to the hundreds of United States and French parliamentarians who had written to him in the same vein and told him that Brunner's extradition would enhance the image of his country.

77. Unfortunately it seemed that the Syrian Government preferred to protect Brunner from punishment (although Brunner did not even have Syrian nationality) rather than respond positively to the legitimate demand for justice which had been made incessantly since the war by world opinion and which had resulted in international conventions of which Syria itself was a signatory. Until such time as the Syrian authorities deported or expelled Brunner from Syria, the significance of the solidarity between Syria and anti-Jewish, Nazi crimes would be obvious to the whole world.

The meeting rose at 6.10 p.m.