



Recommendation 415 (1965)¹

Statutory limitation as applicable to crimes against humanity

Parliamentary Assembly

The Assembly,

Whereas, in our time, the gravest crimes have been systematically perpetrated on a large scale for political, racial and religious motives, thus endangering the very foundations of our civilisation ;

Whereas such crimes, described as crimes against humanity, were committed in particular during the second world war in violation of the most elementary human rights ;

Whereas, in regard to the protection of human rights, the Council of Europe has statutory responsibilities which cannot leave it indifferent to such grave infringements of those rights as are represented by crimes against humanity ;

Whereas the laws of several member States contain a statutory limitation which will soon make it impossible in those countries to prosecute persons responsible for crimes against humanity ;

Whereas the United Nations have commenced work on codification of international penal law which it would be desirable to see concluded ;

Having noted that several member States have amended or intend to amend their legislation, so that the rules of ordinary law relating to statutory limitation for ordinary crimes shall not apply to crimes against humanity,

Recommends the Committee of Ministers :

- a. to invite member Governments to take immediately appropriate measures for the purpose of preventing that, by the application of the statutory limitation or any other means, crimes committed for political, racial and religious motives before and during the second world war, and more generally crimes against humanity, remain unpunished ;
- b. to instruct a Committee of Governmental Experts to draw up a Convention ensuring that crimes against humanity shall not be subject to statutory limitation.

1. Assembly debate on 28th January 1965 (23rd Sitting) (see [Doc. 1868](#), report of the Legal Committee). Text adopted by the Assembly on 28th January 1965 (23rd Sitting).

