

Resolution 401 (1969)¹

Statutory limitations as applicable to crimes against humanity

Parliamentary Assembly

The Assembly,

1. Recalling its [Recommendation 415 \(1965\)](#) on statutory limitation as applicable to crimes against humanity, Written Question No. 128 by Mr. Silkin and others, and the reply of the Committee of Ministers ([Doc. 2409](#)) ;
2. Considering that crimes against humanity should not fall under the statute of limitations ;
3. Considering that in several member states of the Council of Europe statutory limitation is not applicable to crimes against humanity, whereas in other member states it is applicable ;
4. Considering that in one member state, the Federal Republic of Germany, the term of limitation was extended to 1969 ;
5. Welcoming the efforts made by the German Minister of Justice in order to abolish statutory limitation for murder and genocide, and the statement which he made to this effect before the Assembly on 31 January 1968 ;
6. Convinced that appropriate efforts should be taken both at international and at national level to ensure that statutory limitation does not apply to crimes against humanity ;
7. Whereas the United Nations Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity has been deemed unacceptable on account of its lack of precision by almost all the member states of the Council of Europe who belong to the United Nations,
8. Urgently appeals to the governments and parliaments of member states to take the appropriate measures to prevent crimes against humanity, including those perpetrated during the second world war, from remaining unpunished by reason of the application of statutory limitations ;
9. Instructs its Committee on Parliamentary and Public Relations to deal urgently with this matter and take the necessary action in national parliaments.

1. Assembly debate on 30 January 1969 (26th Sitting) (see [Doc. 2506](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 30 January 1969 (26th Sitting).

