

*European Senior Citizens' Union (ESCU) calls for*

## **Strong condemnation of the crimes of Communism!**

### **DECLARATION**

issued by the 3<sup>rd</sup> ESCU "East" Regional Conference in Vilnius on 17<sup>th</sup> June 2008

**We**, representatives of national groups of the European Senior Citizens' Union from Germany, Lithuania, Poland, Czech Republic and Ukraine – delegates at the ESCU Regional Conference in Vilnius –

**As representatives** of the generation in our nations who suffered the crimes of Nazism and Communism in Europe for half a century,

**In the knowledge** that the crimes of war and genocide committed by the totalitarian Nazi regime and other crimes against humanity that were deliberately perpetrated to destroy racial, religious, national or ethnic groups have been tried under criminal law within the framework of the Nuremberg trials, subsequently documented by the international community and generally condemned,

**In view of** the evaluation of the crimes of communism carried out by the International Public Tribunal in Vilnius on 27<sup>th</sup> September 2000, which concluded that the crimes against humanity perpetrated by the communist totalitarian regime are comparable to those of Nazism, which have been denounced by the international community, and that the number of victims of communist crimes is many times that of Nazism,

**Whilst emphasising** that systematic mass measures of repression by the communist regime – unlawful detention, imprisonment, torture, executions, banishment and forced labour under inhuman conditions in concentration camps – bear all the hallmarks of crimes against humanity and war crimes under international law,

**Deeply concerned** that the crimes of the communist regime have not so far been adequately assessed and condemned and are, for this reason, more and more often played down, justified or even denied,

**By reason of** resolution 1096 (1996) of the Parliamentary Assembly of the Council of Europe relating to measures to remove the legacy of former communist totalitarian systems and resolution 1481 (2006) of the Council of Europe relating to the necessity for international condemnation of crimes by totalitarian communist regimes,

**Taking account of** the important framework decision by the Council in 2007 to fight racism and xenophobia with effective deterrents, including penalties for public denial or gross trivialisation of war crimes, genocide and crimes against humanity based on racial, religious, national or ethnic motives or because of skin colour,

**With reference to** the judgment of the European Court of Human Rights dated 17<sup>th</sup> January 2006 in the case of *Kolk and Kislyiy versus Estonia* and the judgment dated 24<sup>th</sup> January 2006 in the case of *Penart versus Estonia* in which the court underlines the universal validity of the Nuremberg Principles and points out that the

responsibility for crimes against humanity must not be limited to subjects of specific nations or to specific actions perpetrated during the Second World War,

**Pleased** with the declaration issued by the Council together with the above-mentioned framework resolution by which the Council orders the European Commission to debate and submit proposals relating to the evaluation of crimes against groups of people because of their social status or political convictions,

**Convinced** that a fair evaluation and strong condemnation of mass crimes by both – fascist and communist – totalitarian regimes against man and humanity is an essential act of fundamental historic justice for the final decommunisation of Europe, without which the future of Europe as a community united by fundamental justice and humanist values is robbed of its solid foundation and the dangers of renascent totalitarianism will increase towards the East,

**Do call upon** the European Parliament, the European Commission and the governments of the member states of the European Union to debate at European Union level the nature and scale of the crimes of communist totalitarian regimes against the inhabitants of European states, to evaluate these crimes in official documents on behalf of the European Union, and to strongly condemn them.

**We further call upon them** to issue a special framework document in which public denial, justification and gross trivialisation of the crimes of communist totalitarian regimes would be defined as criminal acts, and which would contain a recommendation that member states classify these as criminal acts in their legal instruments.