

5. *Encourages* the Governments concerned to consider with special attention the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;

6. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group to the Commission at its forty-second session;

7. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary assistance.

*116th plenary meeting
13 December 1985*

40/148. Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror

The General Assembly,

Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the peoples expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war,

Reaffirming the purposes and principles laid down in the Charter, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principle of equal rights and the self-determination of peoples and achieving international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all,

Recalling that 8 and 9 May 1985 marked the days of the fortieth anniversary of victory over nazism and fascism in the Second World War and of that struggle against them,

Bearing in mind the suffering, destruction and death of millions of victims of aggression, foreign occupation, nazism and fascism,

Recalling also the close relationship between all totalitarian ideologies and practices based on racial or ethnic exclusiveness or intolerance, hatred and terror and the systematic denial of human rights and fundamental freedoms,

Firmly convinced that the best bulwark against nazism and racial discrimination is the establishment and maintenance of democratic institutions, that the existence of genuine political, social and economic democracy is an effective vaccine and an equally effective antidote against the formation or development of Nazi movements and that a political system which is based on freedom and effective participation by the people in the conduct of public affairs and under which economic and social conditions are such as to ensure a decent standard of living for the population makes it impossible for fascism, nazism or other ideologies based on racism and racial discrimination, hatred and terror to succeed,

Emphasizing that all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist ones, based on racial or ethnic exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which have such consequences, may jeopardize world peace and constitute obstacles to

friendly relations between States and to the realization of human rights, fundamental freedoms and social progress in the world,

Acknowledging with satisfaction the fact that many States have established systems based on the inherent dignity and the equal and inalienable rights of all human beings, which are the basis of a democratic society and the best bulwark against totalitarian ideologies and practices, and have set up legal regulations which are suited to prevent the activities of Nazi, Fascist and neo-Fascist groups and organizations,

Noting that, nevertheless, in the contemporary world there continue to exist various forms of totalitarian ideologies and practices which entail contempt for the individual or denial of the intrinsic dignity and equality of all human beings, of equality of opportunity in civil, political, economic, social and cultural spheres, and of social justice,

Deeply alarmed at the existence of groups and organizations which propagate totalitarian ideologies and practices, including Nazi, Fascist and neo-Fascist ones, which violate human rights and fundamental freedoms, in particular the rights to self-determination, to life, liberty and security of person and to freedom from discrimination, and which thereby constitute a threat to the purposes and principles laid down in the Charter of the United Nations,

Conscious of the need to counter the spread of totalitarian ideologies and practices based on the systematic denial of human rights and fundamental freedoms, racial intolerance, hatred and terror,

Stressing that totalitarian régimes based on racial or ethnic exclusiveness or intolerance, hatred or terror or the systematic denial of human rights and fundamental freedoms seek to ensure their domination and their economic and social privileges at the expense of other peoples or racial or ethnic groups, which they oppress and exploit,

Reaffirming that the prosecution and punishment of war crimes and crimes against peace and humanity, as laid down in General Assembly resolutions 3 (I) of 13 February 1946 and 95 (I) of 11 December 1946, constitute a universal commitment for all States,

Mindful of the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, set forth in General Assembly resolution 3074 (XXVIII) of 3 December 1973,

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971, 34/24 of 15 November 1979, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983 and 39/114 of 14 December 1984,

Recalling further the Declaration on Social Progress and Development,¹⁹⁷ the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,¹⁹⁸ the Declaration on the Granting of Independence to Colonial Countries and Peoples¹⁹⁹ and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,¹⁹⁹

Underlining the importance of the Universal Declaration of Human Rights,⁶ the International Covenants on Human Rights,²⁴ the International Convention on the Elimination of All Forms of Racial Discrimination,¹¹ the Convention on the Prevention and Punishment of the Crime of Genocide,²⁰⁰ the Convention on the Non-Applicability of Statutory Limitations to War Crimes and

¹⁹⁷ Resolution 1904 (XVIII).

¹⁹⁸ Resolution 1514 (XV).

¹⁹⁹ Resolution 36/55.

²⁰⁰ Resolution 260 A (III), annex.

Crimes against Humanity,²⁰¹ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*¹² and other relevant international instruments,

Reaffirming that the ideologies and practices described above are incompatible with the purposes and principles of the Charter of the United Nations and the above-mentioned international instruments,

Mindful that the fortieth anniversary of the end of the Second World War served to mobilize efforts of the world community in its struggle against those ideologies and practices,

Viewing with deep concern that the proponents of Fascist ideologies have, in a number of countries, intensified their activities and are increasingly co-ordinating them on an international scale,

Expressing its concern that Fascist and Nazi and other totalitarian ideologies and practices are inherited, *inter alia*, by repressive racist régimes practising gross and flagrant violations of human rights and the systematic denial of human rights and fundamental freedoms,

1. *Again condemns* all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist ideologies, based on racial or ethnic exclusiveness or intolerance, hatred and terror, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity, and expresses its determination to combat those ideologies and practices;

2. *Urges* all States to draw attention to the threat to democratic institutions by the above-mentioned ideologies and practices and to consider taking measures, 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, to prohibit or otherwise deter activities by groups or organizations or whoever is practising those ideologies;

3. *Invites* Member States to adopt, 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;

4. *Calls upon* all States, in accordance with the basic principles of international law, to refrain from practices aimed at the violation of basic human rights and which constitute a threat to peace and international security;

5. *Welcomes* the fact that on 8 May 1985 the Economic and Social Council held a solemn commemorative ceremony, in the light of General Assembly resolution 39/114, the purpose of which was to underline the continuing relevance of the Charter of the United Nations, the importance of international co-operation towards peace, security and development and the promotion of human rights and fundamental freedoms and in particular the fundamental right to life, liberty and security of person;

6. *Gives expression to the respect* felt by today's generation for the victims of and the struggle of peoples against nazism and fascism in the Second World War and for the establishing of the United Nations in order to save mankind from the scourge of war and to reaffirm faith in fundamental human rights and in the dignity and worth of the human person;

7. *Appeals* to all States that have not yet done so to become parties to the International Covenants on Human Rights, the Convention on the Prevention and Punish-

ment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity and the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;

8. *Reiterates its request* to the appropriate specialized agencies, as well as other intergovernmental organizations and international non-governmental organizations, to initiate or intensify measures against the ideologies and practices described in paragraph 1 above;

9. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat pays due attention to the dissemination of information exposing the ideologies and practices described in paragraph 1 above;

10. *Invites* all States and international organizations to submit to the Secretary-General their comments and information on the implementation of the present resolution;

11. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its forty-first session in the light of the discussion that will take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations.

116th plenary meeting
13 December 1985

40/149. Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are among the multiple and complex factors causing mass exoduses of refugees, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject,²⁰²

Considering the efforts which have been made to address this subject within the United Nations, in particular by the Commission on Human Rights,

Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to the special rapporteurs for their study of the violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed upon the international community as a whole, particularly upon developing countries with limited resources of their own, by these sudden mass exoduses and displacements of population,

Stressing the need to improve international co-operation aimed at the prevention of new massive flows of refugees in parallel with the provision of adequate solutions to actual refugee situations,

Taking note of the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,²⁰³

²⁰¹ Resolution 2391 (XXIII), annex.

²⁰² E/CN.4/1503*.

²⁰³ A/40/385, annex.