

35/199. Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live

The General Assembly,

Bearing in mind Economic and Social Council resolutions 1790 (LIV) of 18 May 1973 and 1871 (LVI) of 17 May 1974 concerning the question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live,

Noting Commission on Human Rights resolutions 8 (XXIX) of 21 March 1973,¹⁴¹ 11 (XXX) of 6 March 1974,¹⁴² 16 (XXXV) of 14 March 1979¹⁴³ and 19 (XXXVI) of 29 February 1980,¹⁴⁴ on the same subject,

Noting also resolution 9 (XXXI) of 13 September 1978 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁴⁵

Recalling that the Economic and Social Council, by its resolution 1980/29 of 2 May 1980, decided to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, prepared by Baroness Elles, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and amended by the Sub-Commission,¹⁴⁶ together with the comments on the text received from Member States¹⁴⁷ in response to Council decision 1979/36 of 10 May 1979, and recommended that the Assembly should consider the adoption of a declaration on the subject,

1. *Notes* that the open-ended working group entrusted with the task of elaborating a final version of the draft declaration on the human rights of individuals who are not citizens of the country in which they live has done useful work but has not had sufficient time to conclude its task;

2. *Decides* to establish, at its thirty-sixth session, an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live;

3. *Expresses the hope* that a draft declaration on the human rights of individuals who are not citizens of the country in which they live will be adopted by the General Assembly at its thirty-sixth session.

*96th plenary meeting
15 December 1980*

35/200. 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

¹⁴¹ See *Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6 (E/5265)*, chap. XX, sect. A.

¹⁴² *Ibid.*, *Fifty-sixth Session, Supplement No. 5 (E/5464)*, chap. XIX, sect. A.

¹⁴³ See *Official Records of the Economic and Social Council, 1979, Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

¹⁴⁴ *Ibid.*, 1980, *Supplement No. 3 (E/1980/13 and Corr.1)*, chap. XXVI, sect. A.

¹⁴⁵ See E/CN.4/1296, chap. XVII, sect. A.

¹⁴⁶ E/CN.4/1336.

¹⁴⁷ E/CN.4/1354 and Add.1-6.

in the Charter of the United Nations to save future generations from the scourge of war,

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

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 self-determination of peoples, and achieving international co-operation,

Emphasizing that nazism and fascism in all their manifestations may jeopardize world peace and international security, and constitute an obstacle to friendly relations between States and peoples and to the promotion and observance of human rights,

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,

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 and 34/24 of 15 November 1979,

Recalling also the Declaration on Social Progress and Development,¹⁴⁸ the United Nations Declaration on the Elimination of All Forms of Racial Discrimination¹⁴⁹ and the Declaration on the Granting of Independence to Colonial Countries and Peoples,¹⁵⁰

Underlining the importance of the Universal Declaration of Human Rights,¹⁵¹ the International Covenants on Human Rights,¹⁵² the International Convention on the Elimination of All Forms of Racial Discrimination,¹⁵³ the Convention on the Prevention and Punishment of the Crime of Genocide¹⁵⁴ and other relevant international instruments,

Bearing in mind that all totalitarian ideologies and practices based on racial intolerance, hatred and terror, including Nazi, Fascist and neo-Fascist activities, and those based on the systematic denial of human rights and fundamental freedoms, are totally incompatible with the Charter of the United Nations, the Declaration on the Strengthening of International Security,¹⁵⁵ the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,¹⁵⁶ and the Declaration on the Preparation of Societies for Life in Peace,¹⁵⁷

Deeply concerned at the increase of activities at the national and international levels which propagate totalitarian forms of ideology and practices based on racial intolerance, hatred and terror, including Nazi, Fascist and neo-Fascist activities,

1. *Condemns* all forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror, including Nazi, Fascist and neo-Fascist activities, and

¹⁴⁸ Resolution 2542 (XXIV).

¹⁴⁹ Resolution 1904 (XVIII).

¹⁵⁰ Resolution 1514 (XV).

¹⁵¹ Resolution 217 A (III).

¹⁵² Resolution 2200 A (XXI), annex.

¹⁵³ Resolution 2106 A (XX), annex.

¹⁵⁴ Resolution 260 A (III), annex.

¹⁵⁵ Resolution 2734 (XXV).

¹⁵⁶ Resolution 2625 (XXV), annex.

¹⁵⁷ Resolution 33/73.

those based on systematic denial of human rights and fundamental freedoms;

2. *Urges* all States to give due consideration to implementing the provisions laid down in General Assembly resolution 2839 (XXVI) in accordance with the provisions of the Universal Declaration of Human Rights, and especially to taking the necessary measures against activities of groups and organizations practising nazism, fascism, neo-fascism or other ideologies based on racial intolerance, hatred and terror, in accordance with the national constitutional systems;

3. *Requests* all States to provide the Secretary-General with their comments on those problems and on measures that should be taken at the national and international levels to eradicate nazism, fascism, neo-fascism

and related ideologies based on racial intolerance, hatred and terror;

4. *Requests* the Commission on Human Rights to consider this subject at its thirty-seventh session under the agenda item entitled "Question of measures to be taken against ideologies and practices based on terror or incitement to racial discrimination or any form of group hatred";

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-sixth session, through the Economic and Social Council, a report in the light of the discussion to take place in the Commission on Human Rights and on the basis of comments provided by States.

*96th plenary meeting
15 December 1980*