

**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,<sup>141</sup> 11 (XXX) of 6 March 1974,<sup>142</sup> 16 (XXXV) of 14 March 1979<sup>143</sup> and 19 (XXXVI) of 29 February 1980,<sup>144</sup> 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,<sup>145</sup>

*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,<sup>146</sup> together with the comments on the text received from Member States<sup>147</sup> 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

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

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

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

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

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

<sup>146</sup> E/CN.4/1336.

<sup>147</sup> 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,<sup>148</sup> the United Nations Declaration on the Elimination of All Forms of Racial Discrimination<sup>149</sup> and the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>150</sup>

*Underlining* the importance of the Universal Declaration of Human Rights,<sup>151</sup> the International Covenants on Human Rights,<sup>152</sup> the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>153</sup> the Convention on the Prevention and Punishment of the Crime of Genocide<sup>154</sup> 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,<sup>155</sup> the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>156</sup> and the Declaration on the Preparation of Societies for Life in Peace,<sup>157</sup>

*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

<sup>148</sup> Resolution 2542 (XXIV).

<sup>149</sup> Resolution 1904 (XVIII).

<sup>150</sup> Resolution 1514 (XV).

<sup>151</sup> Resolution 217 A (III).

<sup>152</sup> Resolution 2200 A (XXI), annex.

<sup>153</sup> Resolution 2106 A (XX), annex.

<sup>154</sup> Resolution 260 A (III), annex.

<sup>155</sup> Resolution 2734 (XXV).

<sup>156</sup> Resolution 2625 (XXV), annex.

<sup>157</sup> 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*