

39/113. United Nations Voluntary Fund for Victims of Torture

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,⁹⁷ which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁹⁸

Recalling further its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims of torture in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims and their family members,

Taking note of the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture,⁹⁹

1. *Expresses its gratitude and appreciation* to those Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

2. *Calls upon* all Governments, organizations and individuals in a position to do so to respond favourably to requests for initial as well as further contributions to the Fund;

3. *Expresses its appreciation* to the Board of Trustees of the Fund for the work it has carried out;

4. *Expresses its appreciation* to the Secretary-General for the support given to the Board of Trustees;

5. *Requests* the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, *inter alia* through the preparation, production and dissemination of information materials, in its efforts to make the Fund and its humanitarian work better known and in its appeal for contributions.

101st plenary meeting
14 December 1984

39/114. 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,

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,

Considering that the fortieth anniversary of the victory over nazism and fascism in the Second World War will occur in 1985 and should serve to mobilize efforts of the world community in its struggle against Nazi, Fascist and neo-Fascist and all other totalitarian ideologies and practices based on racial intolerance, hatred and terror,

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,

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 terror to succeed,

Emphasizing that all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, 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 and fundamental freedoms,

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,

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 a 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,

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 (XXVII) of 3 December 1973,

Recalling also 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 and 38/99 of 16 December 1983,

Recalling further the Declaration on Social Progress and Development,¹⁰⁰ the United Nations Declaration on the

⁹⁷ Resolution 217 A (III).

⁹⁸ Resolution 3452 (XXX), annex.

⁹⁹ A/39/662.

¹⁰⁰ Resolution 2542 (XXIV).

Elimination of All Forms of Racial Discrimination,¹⁰¹ the Declaration on the Granting of Independence to Colonial Countries and Peoples¹⁰² and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,¹⁰³

Underlining the importance of the Universal Declaration of Human Rights,¹⁰⁴ the International Covenants on Human Rights,¹⁰⁵ the International Convention on the Elimination of All Forms of Racial Discrimination,¹⁰⁶ the Convention on the Prevention and Punishment of the Crime of Genocide,¹⁰⁷ the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,¹⁰⁸ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*¹⁰⁹ and other relevant international instruments,

Reaffirming that totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic or other exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which have such consequences, are incompatible with the purposes and principles of the Charter of the United Nations and the above-mentioned international instruments,

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,

Acknowledging the fact that a number of States have set up legal regulations which are suited to prevent the activities of Nazi, Fascist and neo-Fascist groups and organizations,

Noting again 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 systematic denial of human rights and fundamental freedoms,

1. *Again condemns and expresses its determination* to resist all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, 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;

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* States to assist each other in detecting, arresting and bringing to trial persons suspected of having committed war crimes and crimes against humanity and, if they are found guilty, in punishing them;

5. *Appeals* to all States that have not yet done so to ratify or to accede or to give serious consideration to acceding to the International Covenants on Human Rights, the Convention on the Prevention and Punishment 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*;

6. *Calls upon* the appropriate specialized agencies, as well as intergovernmental and international non-governmental organizations, to initiate or intensify measures against the ideologies and practices described in paragraph 1 above;

7. *Invites* all States, on the occasion of the fortieth anniversary of the conclusion of the Second World War, to renew their efforts to counter the spread of ideologies and practices described in paragraph 1 above and to initiate measures in accordance with the Charter of the United Nations to maintain international peace and security;

8. *Gives expression* to the respect felt by today's generations for the victims of and the struggle of peoples against nazism and fascism in the Second World War and for establishing 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;

9. *Declares* that 8 and 9 May 1985 will be the days of the fortieth anniversary of victory over nazism and fascism in the Second World War and of that struggle against them;

10. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat pays due attention to the dissemination of information on this anniversary and the founding of the United Nations, exposing the ideologies and practices described in paragraph 1 above;

11. *Reiterates its request* to the Commission on Human Rights to consider this subject at its forty-first session;

12. *Calls once again upon* all States to provide the Secretary-General with their comments on this question;

13. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its fortieth 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.

*101st plenary meeting
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39/115. Regional arrangements for the protection of human rights

The General Assembly,

Recalling its resolutions 32/127 of 16 December 1977, 33/167 of 20 December 1978, 34/171 of 17 December

¹⁰¹ Resolution 1904 (XVIII).

¹⁰² Resolution 1514 (XV).

¹⁰³ Resolution 36/55.

¹⁰⁴ Resolution 217 A (III).

¹⁰⁵ Resolution 2200 A (XXI), annex.

¹⁰⁶ Resolution 2106 A (XX), annex.

¹⁰⁷ Resolution 260 A (III), annex.

¹⁰⁸ Resolution 2391 (XXIII), annex.

¹⁰⁹ Resolution 3068 (XXVIII), annex.