

of the High Commissioner and of the projects and programmes, including unfunded projects, which were submitted to the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984;<sup>163</sup>

7. *Also urges* all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;

8. *Appeals* to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and all other competent United Nations bodies, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa and Namibia who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

9. *Calls upon* agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;

10. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1989, of the current status of the programmes and to report to the General Assembly at its forty-fourth session on the implementation of the present resolution.

*75th plenary meeting  
8 December 1988*

**43/150. Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on apartheid, racial discrimination and racism, and the systematic denial of human rights and fundamental freedoms**

*The General Assembly,*

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

*Aware* of the determination proclaimed by the peoples of the world in the Charter to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

*Noting with regret* that 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 and of equality of opportunity in the civil, political, economic, social and cultural spheres, including the practices of *apartheid*, racial discrimination and racism,

*Emphasizing* that the doctrines of political, racial or ethnic superiority on which the totalitarian entities and régimes are based contradict the spirit and principles of

the United Nations and that the application of such doctrines in practice leads to wars, mass and flagrant violations of human rights and crimes against humanity, such as genocide, and creates serious obstacles to friendly relations among nations and the development of all countries,

*Acknowledging with satisfaction* the fact that many States have established legal provisions designed to prevent the revival of Nazi, Fascist and neo-Fascist groups and organizations and are extraditing war criminals and persons having committed crimes against mankind,

*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 its resolution 3074 (XXVIII) of 3 December 1973,

*Reaffirming* that the prosecution and punishment of war crimes and crimes against peace and humanity, as laid down in its 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, 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, 39/114 of 14 December 1984, 40/148 of 13 December 1985 and 41/160 of 4 December 1986,

1. *Again resolutely condemns* all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, that are based on *apartheid*, racial discrimination and racism, and the systematic denial of human rights and fundamental freedoms, or which have such consequences;

2. *Expresses its determination* to resist all totalitarian ideologies, and especially their practices, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity;

3. *Calls upon* all States to take the necessary measures to ensure the thorough investigation, detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought before a court and appropriately punished;

4. *Also calls upon* all Governments to pay constant attention to educating the young in the spirit of respect for international law and fundamental human rights and freedoms and against Fascist, neo-Fascist and other totalitarian ideologies and practices based on terror, hatred and violence;

5. *Further 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, particularly the right to self-determination;

6. *Appeals* to States that have not yet done so to consider becoming parties to the International Covenants on Human Rights,<sup>20</sup> the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>164</sup> the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>3</sup> the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity<sup>165</sup> and the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;<sup>4</sup>

7. *Invites* all States and international organizations to submit to the Secretary-General their comments and in-

<sup>163</sup> See A/CONF.125/1, para. 33.

<sup>164</sup> Resolution 260 A (III), annex.

<sup>165</sup> Resolution 2391 (XXIII), annex.

formation on the implementation of the present resolution;

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

*75th plenary meeting  
8 December 1988*

#### 43/151. Summary or arbitrary executions

*The General Assembly,*

*Recalling* the provisions of the Universal Declaration of Human Rights,<sup>2</sup> in which it is stated that every human being has the right to life, liberty and security of person,

*Having regard* to the provisions of the International Covenant on Civil and Political Rights,<sup>20</sup> in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

*Recalling also* its resolution 34/175 of 17 December 1979, in which it reaffirmed that mass and flagrant violations of human rights are of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

*Recalling further* its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986 and 42/141 of 7 December 1987,

*Deeply alarmed* at the continued occurrence on a large scale of summary or arbitrary executions, including extra-legal executions,

*Recalling* resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>166</sup> in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

*Recalling also* Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15,<sup>167</sup>

*Welcoming* the close co-operation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

*Taking note* of the recommendation by the Committee on Crime Prevention and Control concerning "Draft principles on the effective prevention and investigation of extra-legal, arbitrary and summary executions"<sup>168</sup> for consideration and adoption by the Economic and Social Council,

*Convinced* of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Once again strongly condemns* the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;

2. *Demands* that the practice of summary or arbitrary executions be brought to an end;

3. *Appeals urgently* to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

4. *Recalls* Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;

5. *Welcomes* Economic and Social Council resolution 1988/38 of 7 May 1988, in which the Council decided to renew the mandate of the Special Rapporteur, Mr. S. A. Wako, for two years, while keeping the annual reporting cycle, and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fifth session;

6. *Urges* all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned, to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

7. *Requests* the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred; and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

8. *Welcomes* the recommendations made by the Special Rapporteur in his reports<sup>169</sup> to the Commission on Human Rights at its forty-third and forty-fourth sessions with a view to eliminating summary or arbitrary executions;

9. *Encourages* Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating law enforcement officials in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

10. *Invites* Governments, international organizations and non-governmental organizations to support the efforts made in United Nations forums towards the adoption of an international instrument that would incorporate inter-

<sup>166</sup> See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

<sup>167</sup> See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1) chap. I, sect. E.

<sup>168</sup> E/AC.57/1988/L.20 and E/AC.57/1988/NGO.4.

<sup>169</sup> See E/CN.4/1987/20 and E/CN.4/1988/22 and Add.1 and 2.