

Acknowledging the fact that a number of States have established 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,

1. *Again condemns* all totalitarian or other ideologies and practices, in particular Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences;

2. *Urges* all States to draw attention to the threats 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. *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;

4. *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;

5. *Appeals* to all States that have not yet done so to ratify or to accede 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 Humanity¹²² and the International Convention on the Suppression and Punishment of the Crime of Apartheid;¹²³

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

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

8. *Reiterates its request* to the Commission on Human Rights to consider this question at its thirty-ninth session under the title: "Measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences";

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

*110th plenary meeting
17 December 1982*

¹²² Resolution 2391 (XXIII), annex.

¹²³ Resolution 3068 (XXVIII), annex.

37/180. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978, entitled "Disappeared persons", and its resolution 36/163 of 16 December 1981 on the question of enforced or involuntary disappearances,

Bearing in mind Commission on Human Rights resolution 1982/24 of 10 March 1982,¹²⁴ by which the Commission decided to extend for one year the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, and Economic and Social Council decision 1982/131 of 7 May 1982, by which the Council approved the Commission's decision,

Convinced that the action taken, in consultation with the Governments concerned, to promote the implementation of the provisions of General Assembly resolution 33/173 and other United Nations resolutions relevant to the plight of missing or disappeared persons should be continued,

Expressing its emotion at the anguish and sorrow of the families concerned, who should know the fate of their relatives,

1. *Welcomes* the decision of the Commission on Human Rights to extend for one year the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, as laid down in Commission resolution 1982/24;

2. *Expresses its appreciation* to the Working Group for the work it has done and to those Governments that have co-operated with it;

3. *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 at its thirty-ninth session;

4. *Appeals* to all Governments to provide the Working Group and the Commission on Human Rights with the full co-operation warranted by their strictly humanitarian objectives and their working methods based on discretion;

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

*110th plenary meeting
17 December 1982*

37/181. Missing persons in Cyprus

The General Assembly,

Recalling its previous resolutions on the question of missing persons in Cyprus,

Reaffirming the basic need of families to be informed, without further delay, about the fate of their missing relatives,

Expressing concern that the Committee on Missing Persons in Cyprus, the establishment of which was announced on 22 April 1981,¹²⁵ has failed to overcome procedural difficulties and has achieved no progress towards the commencement of its investigative work,

Emphasizing the need for a speedy resolution of this humanitarian problem,

1. *Invites* the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights

¹²⁴ See *Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.*

¹²⁵ See *Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981, document S/14490, para. 46.*

to follow developments and to recommend to the parties concerned ways and means of overcoming the pending procedural difficulties of the Committee on Missing Persons in Cyprus and, in co-operation with the Committee, to facilitate the effective implementation of its investigative work on the basis of the existing relevant agreements;

2. *Calls upon* all parties concerned to facilitate such investigation in a spirit of co-operation and good will;

3. *Requests* the Secretary-General to continue to provide his good offices with a view to facilitating the work of the Committee on Missing Persons in Cyprus.

*110th plenary meeting
17 December 1982*

37/182. Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,¹¹⁸ which states that every human being has the right to life, liberty and security of person and that everyone shall be entitled to a fair and public hearing by an independent and impartial tribunal established by law,

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,

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

Taking note of resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities¹²⁶ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Convinced of the need for appropriate action to combat and eventually eliminate this practice, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Welcomes* Economic and Social Council resolution 1982/35 of 7 May 1982, in which it was decided to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions and to submit to the Commission on Human Rights, at its thirty-ninth session, a comprehensive report on the occurrence and extent of the practice of such executions, together with his conclusions and recommendations;

2. *Requests* all Governments to co-operate with and to assist the Special Rapporteur of the Commission on Human Rights in the preparation of his report;

3. *Requests* the Commission on Human Rights at its thirty-ninth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolution 1982/35, to make recommendations concerning appropriate action to combat and eventually eliminate the practice of summary or arbitrary executions.

*110th plenary meeting
17 December 1982*

37/183. Situation of human rights and fundamental freedoms in Chile

The General Assembly,

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and determined to remain vigilant with regard to violations of human rights wherever they occur,

Emphasizing the obligation of Governments to protect and promote human rights and to carry out the responsibilities they have undertaken with respect to the various international instruments,

Recalling its resolutions 3219 (XXIX) of 6 November 1974, 3448 (XXX) of 9 December 1975, 31/124 of 16 December 1976, 32/118 of 16 December 1977, 33/175 of 20 December 1978, 34/179 of 17 December 1979, 35/188 of 15 December 1980 and 36/157 of 16 December 1981, all related to the situation of human rights in Chile, as well as its resolution 33/173 of 20 December 1978 on disappeared persons,

Recalling also the resolutions of the Commission on Human Rights dealing with the human rights situation in Chile, in particular resolution 1982/25 of 10 March 1982,¹²⁴ by which the Commission decided, *inter alia*, to extend the mandate of the Special Rapporteur on the situation of human rights in Chile,

Deploring the fact that the Chilean authorities have consistently refused to co-operate with the Commission on Human Rights and its Special Rapporteur,

Expressing its deepest concern at the total lack of improvement in the human rights situation in Chile, as shown by the Special Rapporteur in his report,¹²⁷

Noting with increasing concern that the Chilean authorities continue to ignore the repeated appeals of the international community, made through a number of resolutions of the General Assembly, the Commission on Human Rights and various other international organs,

Reiterating its deep concern at the lack of information concerning the numerous persons who have disappeared in Chile for political reasons and at the fact that the Chilean authorities have not taken urgent and effective measures to investigate and clarify the fate of those persons,

Noting with great concern that the Constitution promulgated by the Chilean authorities on 11 March 1981 represents the institutionalization of the state of exception, with grave prejudice to the civil and political rights of the Chilean people and serious limitations to their economic, social and cultural rights,

1. *Commends* the Special Rapporteur on the human rights situation in Chile for his report, submitted in accordance with resolution 1982/25 of the Commission on Human Rights;

2. *Reiterates its grave concern* at the persistence of serious and systematic violations of human rights in Chile, as described by the Special Rapporteur, in particular at the subversion of the traditional democratic legal order and its institutions, through the maintenance and widening of emergency and exceptional legislation and the promulgation of a Constitution which does not reflect a freely expressed popular will and the provisions of which suppress, suspend or restrict the enjoyment and the exercise of human rights and fundamental freedoms;

3. *Reiterates also its deep concern* at the inefficacy of the recourse of *habeas corpus* or *amparo* in view of the fact that the judiciary in Chile does not exercise its functions fully in this respect, except with considerable restrictions;

¹²⁶ See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr. 1, chap. XXI, sect. A.

¹²⁷ A/37/564.