

are common practice in Iranian prisons during interrogation and before and after the final verdict, and at the existence of extremely summary and informal proceedings, unawareness on the part of the prisoners of specific accusations, lack of legal counsel and other irregularities with respect to fair trial;

7. *Sheres the opinion* of the Special Representative that the denial by the Government of the Islamic Republic of Iran of the allegations of violations of human rights as a whole, without details, is not sufficient for a sensible assessment of the situation on human rights in that country;

8. *Endorses* the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran that are inconsistent with the provisions of international instruments by which the Government of that country is bound, and that the persistence of certain facts continues to justify continuing international concern;

9. *Urges* the Government of the Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights,<sup>13</sup> to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant;

10. *Once again urges* the Government of the Islamic Republic of Iran to extend its full co-operation to the Special Representative of the Commission on Human Rights and, in particular, to permit him to visit that country;

11. *Requests* the Secretary-General to give all necessary assistance to the Special Representative;

12. *Decides* to keep under consideration the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, during its forty-third session in order to re-examine this situation in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

*93rd plenary meeting  
7 December 1987*

#### **42/137. Situation of human rights and fundamental freedoms in El Salvador**

*The General Assembly,*

*Guided* by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>2</sup> the International Covenant on Civil and Political Rights<sup>13</sup> and the humanitarian rules laid down in the Geneva Conventions of 12 August 1949<sup>153</sup> and Additional Protocols I and II thereto, of 1977,<sup>157</sup>

*Recalling* that, in its resolutions 35/192 of 15 December 1980, 36/155 of 16 December 1981, 37/185 of 17 December 1982, 38/101 of 16 December 1983, 39/119 of 14 December 1984, 40/139 of 13 December 1985 and 41/157 of 4 December 1986, it expressed its deep concern at the situation of human rights in El Salvador,

*Bearing in mind* Commission on Human Rights resolutions 32 (XXXVII) of 11 March 1981,<sup>56</sup> in which the Commission decided to appoint a special representative on the situation of human rights in El Salvador, 1982/28 of 11 March 1982,<sup>57</sup> 1983/29 of 8 March 1983,<sup>58</sup> 1984/52 of 14 March 1984,<sup>59</sup> 1985/35 of 13 March 1985,<sup>60</sup> and 1986/39 of 12 March 1986,<sup>61</sup> as well as Commission resolution 1987/51 of 11 March 1987,<sup>26</sup> whereby it extended the mandate of the Special Representative for another year and requested him to report to the General Assembly

at its forty-second session and to the Commission at its forty-fourth session,

*Considering* that there is an armed conflict of a non-international character in El Salvador in which the parties involved are under an obligation to apply the minimum standards of protection of human rights and humanitarian treatment provided for in article 3 common to the Geneva Conventions of 1949 and in Additional Protocol II thereto, of 1977.

*Noting* that the Special Representative points out in his report<sup>158</sup> that the question of respect for human rights continues to be an important element of the current policy of the Government of El Salvador, which, within the process of democratic normalization, is achieving increasingly significant and commendable results,

*Concerned*, however, because violations of human rights are continuing in El Salvador, particularly through the non-compliance with the humanitarian rules of war,

*Recalling* that on 7 August 1987 at Guatemala City the Central American Governments signed the agreement on the "Procedures for the establishment of a firm and lasting peace in Central America",<sup>116</sup> thus manifesting the political will and good faith to fulfil its provisions in order to achieve peace and stability in the region,

*Convinced* that the strict fulfilment of the commitments assumed by the Government of El Salvador in the agreement signed at Guatemala City will contribute to the promotion, respect and realization of human rights and fundamental freedoms in that country,

*Recognizing* that the resumption of the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario in the context of the agreement signed at Guatemala City is one of the best ways of achieving a solution that will help to improve the situation of human rights of the Salvadorian people,

*Aware* that the negotiated political solution of the Salvadorian conflict can be cut short if external forces do not support the resumption of the dialogue but instead seek in different ways to spur the prolongation or intensification of the war, with ensuing grave effects on the situation of human rights and the possibilities of economic recovery in El Salvador,

1. *Commends* the Special Representative for his report on the situation of human rights in El Salvador;

2. *Notes with interest and emphasizes* that it is important that the Special Representative indicated in his report that the question of respect for human rights is an important part of the policy of the Government of El Salvador, which is achieving increasingly significant and commendable results;

3. *Expresses, nevertheless, its concern* at the fact that violations of human rights are continuing in El Salvador because, *inter alia*, of the non-observance of the humanitarian rules of war;

4. *Trusts* that the fulfilment of the undertaking assumed in the agreement on the "Procedures for the establishment of a firm and lasting peace in Central America", will lead to an improvement of the situation of human rights and fundamental freedoms in El Salvador;

5. *Expresses its consternation* at the assassination of the Co-ordinator of the Commission of Human Rights of El Salvador (non-governmental) and trusts that the authori-

<sup>157</sup> A/32/144, annexes I and II

<sup>158</sup> A/42/641, annex.

ties of El Salvador will continue investigations leading to the punishment of those responsible;

6. *Recognizes* the efforts made by the Government of El Salvador related to the result of the most recent investigations designed to determine the responsibility of the instigators of the assassination of Monsignor Romero and also recognizes the importance of the return to El Salvador of the political leaders of the Frente Democrático Revolucionario;

7. *Expresses its satisfaction* at the fact that, with the intention of humanizing the conflict, the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional agreed this year that future evacuations of the war-wounded and war-injured for medical attention would not be made contingent on further prisoner exchanges and negotiations;

8. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario to continue the dialogue, within the framework of the agreement, signed at Guatemala City, until the achievement of a global political solution that will end the armed conflict and promote the broadening and strengthening of a pluralistic and participatory democratic process that will involve the promotion of social justice, respect for human rights and the full exercise of the right of the Salvadorian people to determine freely and without external interference of any kind its economic, political and social system;

9. *Requests* the competent bodies of the United Nations system to provide any advice and assistance that the Government of El Salvador may require in order to enhance the promotion and protection of human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights at its forty-fourth session to consider the situation of human rights in El Salvador and the mandate of its Special Representative, taking into account the evolution of the situation of human rights in El Salvador and the developments linked to the fulfilment of the agreement signed at Guatemala City;

11. *Decides* to keep under consideration, during its forty-third session, the situation of human rights and fundamental freedoms in El Salvador in order to re-examine this situation in the light of the information provided by the Commission on Human Rights and the Economic and Social Council.

93rd plenary meeting  
7 December 1987

#### 42/138. Assistance to student refugees in southern Africa

*The General Assembly,*

*Recalling* its resolution 41/136 of 4 December 1986, in which it, *inter alia*, requested the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from South Africa and Namibia who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

*Having considered* the report of the High Commissioner on the assistance programme to student refugees from South Africa and Namibia,<sup>159</sup>

*Noting with appreciation* that some of the projects recommended in the report on assistance to student refugees in southern Africa continue to be successfully implemented,

*Noting with concern* that the discriminatory and repressive policies that continue to be applied in South Africa and Namibia cause a continued and increasing influx of student refugees into Botswana, Lesotho, Swaziland and Zambia.

*Conscious* of the burden placed on the limited financial, material and administrative resources of the host countries by the increasing number of student refugees,

*Appreciating* the efforts of the host countries to deal with their student refugee populations, with the assistance of the international community,

1. *Takes note with satisfaction* of the report of the United Nations High Commissioner for Refugees;

2. *Expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure that the continuing influx of those refugees exerts on facilities in their countries;

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation that they have extended to the High Commissioner on matters concerning the welfare of the refugees;

4. *Notes with appreciation* the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;

5. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from South Africa and Namibia who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

6. *Urges* all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, that were submitted to the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984.<sup>160</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 Secre-

<sup>159</sup> A/42/496.

<sup>160</sup> See A/CONF/125, I, para. 33.