

densely populated areas, resulting in numerous civilian casualties and substantial material damage;

3. *Expresses its deep concern* about the systematic attacks on the country's economic infrastructure, which seriously undermine the present and future enjoyment by the Salvadorian people of important economic, social and cultural rights;

4. *Urgently appeals* to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to put an immediate end to the armed conflict and to work for a resumption of the currently suspended dialogue in order to reach agreements that would lead to the definitive cessation of all hostilities within an agreed time-frame;

5. *Requests* the parties to the conflict to guarantee respect for the international standards applicable to an armed conflict of a non-international character, in particular the protection of the civilian population and the war-wounded, to make possible the immediate evacuation of the war-wounded and war-injured, whether civilians or combatants, in order that they may receive the medical care that they need and, furthermore, to co-operate with humanitarian organizations working to alleviate the suffering of the civilian population in any part of the country in which such organizations are operating, and requests that medical and health personnel shall under no circumstances be penalized for carrying out their activities;

6. *Supports fully* the expressed readiness of the Secretary-General to help bring about, as the first stage of a political solution, an immediate agreement on the cessation of the armed conflict, and his decision taken last September to accept the invitation from the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for him or his representatives to participate in their process of dialogue and negotiation, since all this forms part of the mission of good offices that he is performing to assist the Central American Governments in their efforts to achieve the objectives set forth in the agreement concluded at the Esquipulas II summit meeting;

7. *Expresses its firm support* for the efforts of the Secretary-General of the Organization of American States to bring about a resumption of the political dialogue in El Salvador;

8. *Urgently appeals* to the parties to the conflict to respect and guarantee the security of the staff and official premises of international agencies;

9. *Condemns* the brutal assassination of the Rector and seven other members of the Central American University and hopes that the Government of El Salvador will fulfil its pledge to carry out an immediate investigation and to punish those responsible for such an abominable crime;

10. *Expresses its deep concern* about the persistence of and increase in politically motivated serious violations of human rights, such as summary executions, enforced disappearances, torture and abductions;

11. *Also expresses its deep concern* about the persistence of and increase in the alleged activities of the so-called "death squads", which are operating with impunity in El Salvador;

12. *Renews its appeal* to all States to refrain from intervening in the internal situation of El Salvador and, instead of seeking in different ways to spur the prolongation and intensification of the armed conflict, to stimulate dialogue until a firm and lasting peace is attained;

13. *Expresses its profound concern* at the fact that the capacity of the Salvadorian judicial system continues to be

extremely unsatisfactory, despite the efforts made by the Government to determine the responsibility of the instigators of some violations of human rights, and consequently urges the competent authorities to accelerate the adoption of the measures necessary for ensuring the effectiveness of the system and its compatibility with the commitments made in the field of human rights;

14. *Renews its appeal* to the competent organs and organizations of the United Nations system that, on the basis of Commission on Human Rights resolution 1989/68 and General Assembly resolution 43/145, they provide the advice and assistance that the Government of El Salvador may request in order to enhance the promotion and protection of human rights and fundamental freedoms;

15. *Requests* the Commission on Human Rights at its forty-sixth 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 that country and the developments linked to the fulfilment of all the agreements signed by the Central American Presidents within the framework of the regional peace process and the agreements concluded by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional at Mexico City and San José;

16. *Urges*, in accordance with the recommendations of the Special Representative, the Government of El Salvador and all the country's political powers, agencies and forces, including the Frente Farabundo Martí para la Liberación Nacional, to adopt immediate measures to put an end to attacks on the life, integrity and dignity of persons outside, during and as a result of combat situations;

17. *Reiterates its call* to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to continue co-operating with the Special Representative of the Commission on Human Rights;

18. *Decides* to keep under consideration, during its forty-fifth 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.

*82nd plenary meeting  
15 December 1989*

#### **44/166. Situation of human rights in Chile**

*The General Assembly.*

*Guided* by the purposes and principles of the Charter of the United Nations and bearing in mind the Universal Declaration of Human Rights,<sup>4</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>5</sup> and the International Covenant on Civil and Political Rights,<sup>5</sup>

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

*Reiterating* that the Government of Chile has the obligation to respect and protect human rights in accordance with the international instruments to which Chile is a party,

*Bearing in mind* that the concern of the international community about the situation of human rights in Chile has been expressed by the General Assembly in a number of resolutions, particularly resolution 33/173 of 20 December 1978, on disappeared persons, and resolution 43/158 of 8 December 1988,

*Bearing in mind* the pertinent resolutions of the Commission on Human Rights, particularly resolution 1989/62 of 8 March 1989,<sup>205</sup> in which the Commission decided, *inter alia*, to extend the mandate of the Special Rapporteur for one year, to consider the question as a matter of high priority in view of the persistence of serious violations of human rights in Chile and to determine how the item was to be dealt with on the agenda of its forty-sixth session in the light of developments in the situation,

*Regretting* the decision of the Government of Chile to discontinue its co-operation with the Special Rapporteur,

*Regretting also* that the process of restoration of civil and political rights in Chile does not yet include the amendment of numerous laws that constitute an institutional and legal framework that makes violations of human rights possible,

1. *Takes note with appreciation* of the report of the Special Rapporteur<sup>205</sup> submitted in accordance with Commission on Human Rights resolution 1989/62;

2. *Congratulates* the Chilean people on their peaceful progress towards the re-establishment of a representative and pluralist democracy based on respect for human rights and fundamental freedoms, and for reaffirming their will to achieve peace and national reconciliation through the restoration of justice;

3. *Expresses its satisfaction* at the progress of the Chilean electoral process which it considers an important step towards the rapid return of democracy in that country;

4. *Welcomes*, as a positive development, the decision by the Government of Chile to heed the demands of democratic sectors of the country and of the international community with regard to reforming certain aspects of the institutional and legal framework harmful to civil and political rights;

5. *Takes note with satisfaction* of the decision by the Government of Chile to incorporate the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights into domestic law;

6. *Welcomes* the improvement of the situation of human rights in Chile noted by the Special Rapporteur during the six months covered by his report;

7. *Regrets*, nevertheless, the decision of the Government of Chile to discontinue its co-operation with the Special Rapporteur in the fulfilment of his mandate, and urges it to resume such co-operation in compliance with the resolutions of the General Assembly and the Commission on Human Rights;

8. *Urges* the Government of Chile to continue to make progress regarding respect for human rights and fundamental freedoms for all the Chilean people, including the indigenous peoples, especially by adapting the legal system to the relevant principles and provisions and refraining from making any more changes in national institutions without duly consulting the people, and to be guided by those principles and provisions in the exercise of its powers in the same way as the judiciary;

9. *Also urges* the Government of Chile for that purpose to ensure the independence of the judiciary and the effectiveness of judicial remedies, by respecting procedural guarantees, equality before the law and the right to defence in all cases;

10. *Expresses its concern* at acts of violence of any origin that continue to occur in Chile, thereby aggravating

the climate of insecurity and rendering the return to democracy more difficult;

11. *Again expresses its serious concern* at the persistence of violations of human rights and fundamental freedoms in Chile involving, *inter alia*, cases of death, torture and ill-treatment, and at the Colonia Dignidad case, as described by the Special Rapporteur in his report;

12. *Urges* the Government of Chile to investigate all cases of serious violations of human rights that occurred in the past, bearing in mind the reports of special rapporteurs;

13. *Invites* the Commission on Human Rights to evaluate at its forty-sixth session the situation of human rights in Chile, bearing in mind the reports presented by special rapporteurs, to consider the mandate of the Special Rapporteur and also how the item is to be dealt with on the agenda in the light of developments in the situation, and to report to the General Assembly at its forty-fifth session.

82nd plenary meeting  
15 December 1989

**44/167. Enlargement of the Commission on Human Rights and the further promotion of human rights and fundamental freedoms**

*The General Assembly,*

*Recalling* Economic and Social Council resolutions 845 (XXXII) of 3 August 1961, 1147 (XLI) of 4 August 1966 and 1979/36 of 10 May 1979,

*Appreciating* the contribution made by the Commission on Human Rights to the cause of human rights and recognizing the need to reinforce the Commission,

*Reaffirming* that the Commission on Human Rights shall be guided by the standards in the field of human rights laid down in the various international instruments in that field,

*Emphasizing* the importance of further improving the effective functioning of the Commission on Human Rights and the participation therein by Member States at a high level,

*Taking note* of the relevant section of the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries adopted at Belgrade on 7 September 1989,<sup>42</sup> in which it is recognized that, in order to strengthen the role and efficiency of the United Nations and to reinforce United Nations mechanisms so as to allow for efficient co-ordination of the Organization's activities, there is an urgent need, *inter alia*, for an overall review of the current distribution of membership in the various United Nations bodies and commissions, with a view to achieving a more equitable geographical distribution,

1. *Decides* to recommend that the Economic and Social Council take the necessary steps, at its first regular session of 1990, to expand the membership of the Commission on Human Rights, on the basis of the principle of equitable geographical distribution, for the further promotion of human rights and fundamental freedoms;

2. *Calls upon* the Economic and Social Council to conclude deliberations on this question with urgency;

3. *Requests* the Commission on Human Rights to examine ways and means of making its work more effective and to submit its recommendations thereon to the Economic and Social Council.

82nd plenary meeting  
15 December 1989

<sup>205</sup> A/44/635.