

are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of the oppressed people of South Africa for the elimination of apartheid and for the establishment of a society in which all the people of South Africa as a whole, irrespective of race, colour or creed, will enjoy equal and full political and other rights and participate freely in the determination of their destiny,

Also reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Recalling its resolutions 44/147 of 15 December 1989 and 45/151 of 18 December 1990,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. *Reaffirms* that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation;

3. *Also reaffirms* that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intend to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. *Recognizes* that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in each individual case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. *Urges* all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social system;

6. *Strongly appeals* to all States to refrain from financing or providing, directly or indirectly, any other form of

overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. *Condemns* any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. *Solemnly declares* that only the total eradication of apartheid and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and non-fragmented South Africa, can lead to a just and lasting solution to the situation in South Africa;

9. *Reaffirms* the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without interference;

10. *Calls upon* the Commission on Human Rights, at its forty-eighth session, to give priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-seventh session, through the Economic and Social Council;

11. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution under the item entitled "Human rights questions".

*75th plenary meeting
17 December 1991*

46/131. Elimination of all forms of religious intolerance

The General Assembly,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 45/136 of 14 December 1990, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Encouraged by the efforts being made by the Commission on Human Rights and by the Subcommission on Prevention of Discrimination and Protection of Minorities to study relevant developments affecting the implementation of the Declaration,

Recalling Commission on Human Rights resolution 1990/27 of 2 March 1990³⁷ and Economic and Social Council decision 1990/229 of 25 May 1990, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate was extended for two years,

Recognizing that it is desirable to enhance the promo-

tional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief by, *inter alia*, engaging in the examination of the most effective means to promote the implementation of the Declaration,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Seriously concerned that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world and that in some respects the incidence thereof has increased,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and discrimination based on religion or belief,

Recalling that 1991 marks the tenth anniversary of the proclamation by the General Assembly of the Declaration and that this provides an opportunity to reinforce efforts aimed at the effective implementation of the Declaration,

Recalling also that the Commission on Human Rights welcomed the working paper prepared by Mr. Theo van Boven,¹⁷⁰ member of the Subcommission on Prevention of Discrimination and Protection of Minorities, which contained a compilation of provisions relevant to the elimination of intolerance and discrimination based on religion or belief, as well as the issues and factors to be considered before any drafting of a further binding international instrument, and emphasizing, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986 entitled "Setting international standards in the field of human rights",

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. *Urges* States, therefore, in accordance with their respective constitutional systems and with such internationally accepted instruments as the Universal Declaration of Human Rights,⁸ the International Covenant on Civil and Political Rights²⁶ and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. *Urges* all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine where necessary the supervision and training of members of law enforcement bodies, civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

4. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the

right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

5. *Also calls upon* all States in accordance with their national legislation to exert utmost efforts to ensure that religious places and shrines are fully respected and protected;

6. *Urges* all States to consider, in the context of the tenth anniversary in 1991 of the proclamation of the Declaration by the General Assembly, what further measures might be taken at the national and regional levels to promote the effective implementation of the Declaration;

7. *Invites* the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

8. *Considers* it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure, especially in the context of the tenth anniversary of the proclamation of the Declaration, that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

9. *Invites* the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

10. *Encourages* the continued efforts on the part of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

11. *Recommends* that the promotion and protection of the right to freedom of thought, conscience and religion be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights, with regard to, *inter alia*, the drafting of basic legal texts in conformity with international instruments on human rights and taking into account the provisions of the Declaration;

12. *Welcomes* the announced intention of the Human Rights Committee to prepare a general comment on article 18 of the International Covenant on Civil and Political Rights, dealing with freedom of thought, conscience and religion;

13. *Welcomes also* the efforts of non-governmental organizations to promote the implementation of the Declaration;

14. *Requests* the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in the dissemination of its text in national and local languages;

15. *Urges* all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

16. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

17. *Decides* to consider the question of the elimination of all forms of religious intolerance at its forty-seventh session under the item entitled "Human rights questions".

*75th plenary meeting
17 December 1991*

46/132. Situation in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,⁸ the International Covenants on Human Rights²⁶ and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government",

Recalling that the Government of Myanmar has assured the General Assembly and other United Nations bodies of its intention to take all necessary steps towards democracy in the light of the elections held in 1990,

Noting with concern substantive available information indicating a grave human rights situation in Myanmar,

Welcoming the statement by the Secretary-General on the award of the Nobel Peace Prize to Aung San Suu Kyi and his repeated appeals for her early release from house arrest,

1. *Notes* the assurances of the Government of Myanmar to take firm steps towards the establishment of a democratic State and looks forward to the early implementation of this commitment;

2. *Expresses its concern* at the information on the grave human rights situation and stresses the need for an early improvement of this situation;

3. *Urges* the Government of Myanmar to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights;

4. *Decides* to continue its consideration of this question at its forty-seventh session.

*75th plenary meeting
17 December 1991*

46/133. 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,⁸ the International Covenant of Civil and Political Rights,²⁶ article 3 common to the Geneva Conventions of 12 August 1949¹⁷¹ and Additional Protocol II to the Conventions, of 1977,¹⁷²

Taking into account the commitments undertaken by the Central American Presidents in various joint statements on the promotion of, respect for and exercise of human rights,

Noting with satisfaction that the Government of El Sal-

vador and the Frente Farabundo Martí para la Liberación Nacional are pursuing the negotiating process that began on 4 April 1990 under the auspices of the Secretary-General, with a view to ending the armed conflict through political means as speedily as possible, promoting the democratization of the country, guaranteeing unrestricted respect for human rights and reunifying Salvadorian society,

Taking into account the establishment of the United Nations Observer Mission in El Salvador, whose initial task, as part of a comprehensive peace-keeping operation, is to verify compliance with the partial agreement on human rights signed at San José on 26 July 1990,¹⁷³

Noting with satisfaction that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional have agreed at Mexico City on important constitutional reforms on the issues relating to the armed forces, the judicial system, the electoral system and human rights which, with the exception of the issue relating to the armed forces, have already been ratified by the Legislative Assembly, and on the establishment of the Commission on the Truth for the purpose of investigating serious acts of violence that have occurred in El Salvador since 1980,

Noting with satisfaction the agreement reached by the two parties in New York on 25 September 1991,¹⁷⁴ on the basis of which the negotiating process has continued intensively and without interruption, creating hopes that the set of political agreements necessary for ending the armed conflict can be agreed upon in the shortest possible time,

Concerned that, despite a reduction in their number, serious violations of human rights and of the humanitarian rules of warfare persist,

Noting with satisfaction that, in the present context of the negotiating process, the Frente Farabundo Martí para la Liberación Nacional has unilaterally decided to desist from all offensive actions, urban operations and economic sabotage, and the Government of El Salvador has, for its part, decided to stop aerial bombing and the use of heavy artillery, decisions whose implementation is important in terms of increasing mutual trust and creating the necessary conditions for the achievement of a permanent cease-fire and the other objectives set out in the agreement signed at Geneva on 4 April 1990,¹⁷⁵

1. *Commends* the Special Representative of the Commission on Human Rights for his provisional report on the situation of human rights in El Salvador,¹⁷⁶ and endorses the recommendations contained therein;

2. *Expresses its full support* for the United Nations Observer Mission in El Salvador which, since 26 July 1991, has been verifying compliance with the partial agreement on human rights, and requests the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to extend all facilities required for the discharge of its functions, ensure its security and comply as promptly as possible with the recommendations made to them;

3. *Expresses its satisfaction* that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, as part of their efforts to resolve the armed conflict, have signed agreements and established mechanisms for verification and monitoring in the field of human rights, full respect for which is essential to the attainment of a just and lasting peace;

4. *Calls upon* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to