

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,<sup>8</sup> the International Covenants on Human Rights<sup>26</sup> 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,<sup>8</sup> the International Covenant of Civil and Political Rights,<sup>26</sup> article 3 common to the Geneva Conventions of 12 August 1949<sup>171</sup> and Additional Protocol II to the Conventions, of 1977,<sup>172</sup>

*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,<sup>173</sup>

*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,<sup>174</sup> 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,<sup>175</sup>

1. *Commends* the Special Representative of the Commission on Human Rights for his provisional report on the situation of human rights in El Salvador,<sup>176</sup> 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

take forthwith the actions and steps required to eradicate serious violations of human rights and of the humanitarian rules of warfare;

5. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to continue negotiations until the necessary political agreements are arrived at to put an end to the armed conflict as speedily as possible, lay firm foundations for promoting the democratization of the country, guarantee full respect for human rights and bring about the reunification of Salvadorian society;

6. *Recognizes* that it is an important precedent in Salvadorian penal justice to have pronounced guilty, on 25 September 1991, two soldiers, one of them of high rank, involved in the assassination of the Rector and other Jesuit priests of the Central American University, their housekeeper and her daughter, and urges the competent authorities to continue their investigation in order to determine whether other persons may have been involved, with a view to assigning responsibility as appropriate;

7. *Notes with satisfaction* that, in conformity with the New York Agreement,<sup>174</sup> the National Commission for the Consolidation of Peace has been set up in its transitory phase, constituting a mechanism for the monitoring of and for the participation of civilian society in the process of the changes resulting from the negotiations between the parties;

8. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to strengthen the confidence-building and security measures adopted unilaterally in order to keep the armed conflicts suspended until political agreements are reached which will definitively put an end to the armed conflict and achieve the other objectives established in the agreement signed at Geneva on 4 April 1990;<sup>175</sup>

9. *Supports fully* the work of mediation being done by the Secretary-General and his personal representative in the search for a political solution to the armed conflict;

10. *Decides* to keep under consideration, during its forty-seventh session, the situation of human rights and fundamental freedoms in El Salvador, in conformity with the course of events in the country.

*75th plenary meeting  
17 December 1991*

#### 46/134. Situation of human rights in Iraq

*The General Assembly,*

*Guided* by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights<sup>8</sup> and the International Covenants on Human Rights,<sup>26</sup>

*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

*Mindful* that Iraq is a party to the International Covenants on Human Rights,

*Recalling* Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq should cooperate with humanitarian organizations and

ensure that the human and political rights of all Iraqi citizens are respected,

*Recalling also* the pertinent resolutions of the Commission on Human Rights and the Subcommittee on Prevention of Discrimination and Protection of Minorities, which expressed grave concern at the flagrant violations of human rights by the Government of Iraq,

*Recalling* in particular Commission on Human Rights resolution 1991/74 of 6 March 1991,<sup>38</sup> in which the Commission requested its Chairman to appoint a special rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the special rapporteur may deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq, and to submit an interim report thereon to the General Assembly at its forty-sixth session and a report to the Commission at its forty-eighth session,

*Deeply concerned* by the volume and extent of allegations of human rights violations by the Government of Iraq, such as arbitrary arrests and detentions, enforced or involuntary disappearances, torture, inhuman or degrading practices, extrajudicial killings, summary or arbitrary executions, hostage-taking and use of persons as "human shields", the lack of freedom of expression and the absence of an independent judiciary,

*Noting* the view of the Special Rapporteur that these allegations are each day increasing and necessitate considerable and detailed examination,

*Deeply concerned* by the fact that chemical weapons have been used on the Kurdish civilian population, by the forced displacement of hundreds of thousands of Kurds and the destruction of Kurdish towns and villages, as well as by the situation of tens of thousands of displaced Kurds living in camps in the north of Iraq and by the deportation of thousands of Kurdish families,

*Also deeply concerned* by the repressive measures taken by the Government of Iraq against the Shiah communities in the south of Iraq,

*Concerned* especially by the alleged use of excessive force by the Government of Iraq against Iraqi civilians, in particular the Kurds and the Shiites,

*Noting with interest* the message conveyed to the Special Rapporteur by the Government of Iraq of its intention fully to cooperate with him, with such cooperation including acceptance of a visit to Iraq to investigate the allegations of violations of human rights in that country,

*Regretting*, however, that the Government of Iraq has failed to answer a considerable number of specific questions asked by the Special Rapporteur on acts being committed by the Government of Iraq that are incompatible with international human rights instruments that are binding on that Government,

1. *Takes note with appreciation* of the interim report of the Special Rapporteur<sup>177</sup> and the considerations and observations contained therein;

2. *Expresses its deep concern* about the numerous and detailed allegations of grave human rights violations by the Government of Iraq to which the Special Rapporteur has referred in his report, in particular:

(a) Arbitrary detention, including that of women, children and the elderly, as well as the systematic practice of