

with a view to a firm and lasting peace, and to continue co-operating with the Special Representative of the Commission on Human Rights;

13. *Decides* to keep under consideration, during its forty-sixth 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.

*69th plenary meeting
18 December 1990*

45/173. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights⁵ and the International Covenants on Human Rights,³³

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,

Recalling its resolution 44/163 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/79 of 7 March 1990,³

Mindful of Commission on Human Rights resolution 1990/76 of 7 March 1990, entitled "Co-operation with representatives of United Nations human rights bodies",³ and Economic and Social Council resolution 1990/48 of 25 May 1990,

Welcoming the two visits paid by the Special Representative of the Commission to the Islamic Republic of Iran during the course of 1990 and the two reports²⁹³ presented following those visits, which have provided useful information and clarified a number of allegations about the situation of human rights in the Islamic Republic of Iran,

Noting the findings of the Special Representative on the situation of the Baha'is in the Islamic Republic of Iran,

1. *Takes note with appreciation* of the reports submitted by the Special Representative in 1990, including the observations contained therein, and notes with concern the allegations of violations of human rights contained in those reports;

2. *Calls upon* the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative, in particular as regards the administration of justice and due process of law in order to comply with international instruments on human rights, including the International Covenant on Civil and Political Rights to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

3. *Welcomes* the decision of the Government of the Islamic Republic of Iran to invite the International

Committee of the Red Cross to visit prisons in the country and urges the competent officials to implement this decision as soon as possible by concluding an agreement in accordance with standard procedures of the Committee;

4. *Notes* that the co-operation of the Islamic Republic of Iran with the Special Representative has improved and has included replies by the Government to allegations that have been transmitted to it, and urges the Government to reply in detail to all allegations referred to by the Special Representative in his reports;

5. *Requests* the Secretary-General to respond favourably, in accordance with the normal practices of the Centre for Human Rights of the Secretariat, to requests for technical assistance from the Government of the Islamic Republic of Iran;

6. *Also requests* the Secretary-General to give the Special Representative all the necessary assistance to carry out his mandate;

7. *Notes* that the Commission on Human Rights will consider the situation of human rights in the Islamic Republic of Iran at its forty-seventh session and will refer the question, as appropriate, to the General Assembly at its forty-sixth session.

*69th plenary meeting
18 December 1990*

45/174. Situation of human rights in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,⁵ the International Covenants on Human Rights³³ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949²⁸⁴ and the Additional Protocols thereto, of 1977,²⁹⁴

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

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

Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

Recalling also its relevant resolutions as well as resolutions of the Commission on Human Rights and decisions of the Economic and Social Council,

Taking note in particular of Commission on Human Rights resolution 1990/53 of 6 March 1990,³ in which the Commission decided to extend the mandate of its

²⁹³ E/CN.4/1990/24 and A/45/697.

²⁹⁴ United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

Special Rapporteur for one year and requested him to report to the General Assembly at its forty-fifth session on the situation of human rights in Afghanistan,

Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation Relating to Afghanistan, concluded at Geneva on 14 April 1988,²⁹⁵ which constitute an important step towards a comprehensive political solution,

Noting with deep concern that a situation of armed conflict persists in Afghanistan, that acts of terrorism against civilians have significantly increased, that the treatment of prisoners detained in connection with the conflict does not conform to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, that more than five million refugees are living outside Afghanistan and that many Afghans are displaced within the country,

Aware that the reasons given by the refugees for not returning to Afghanistan pending the achievement of a comprehensive political solution and the establishment of a broad-based government include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas and other obstacles that would be encountered by refugees in returning to the country,

Taking note with appreciation of the interim report of the Special Rapporteur²⁹⁶ and of the conclusions and recommendations contained therein,

1. *Welcomes* the co-operation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

2. *Welcomes* the co-operation that the Afghan authorities have extended in particular to the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan, and to international organizations such as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

3. *Welcomes* the fact that the Special Rapporteur was able to visit areas in Afghanistan not under government control;

4. *Urges* all parties concerned to work for the achievement of a comprehensive political solution based on the free exercise of the right to self-determination by the people of Afghanistan through democratic procedures acceptable to the people, including free and fair elections, and the creation of conditions conducive to the return of refugees to their homeland in safety and honour and the full enjoyment of human rights and fundamental freedoms by all Afghans;

5. *Also urges* all parties to the conflict to respect the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisals and violence, including ill-treatment, torture and summary execution, to transmit to the International Committee of the Red Cross the names of all prisoners, and to grant to that Com-

mittee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

6. *Calls upon* the Afghan authorities to investigate thoroughly the fate of persons who have disappeared, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or those in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners,²⁶¹ and to apply to all convicted persons article 14, paragraphs 3 (d) and 5, of the International Covenant on Civil and Political Rights;³³

7. *Notes with concern* the allegations of atrocities committed against Afghan soldiers, civil servants and captured civilians;

8. *Expresses its concern* at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

9. *Urgently appeals* to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection, in order to facilitate the return of refugees and displaced persons to their homes in safety and honour, in conformity with the Agreements on the Settlement of the Situation Relating to Afghanistan;

10. *Urgently appeals* to all Member States and humanitarian organizations to promote the implementation of the projects envisaged by the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

11. *Urges* all parties concerned to extend their full co-operation to the Commission on Human Rights and its Special Rapporteur;

12. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

13. *Decides* to keep under consideration, during its forty-sixth session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

69th plenary meeting
18 December 1990

45/175. Rationalization of the work of the Third Committee

The General Assembly,

Recalling its decision 44/435 of 15 December 1989, in which it decided to defer consideration of the draft decision entitled "Programme of work of the Third Committee" until its forty-fifth session,²⁹⁷

Recalling also that the Third Committee, at its organizational meeting on 24 September 1990, decided to establish an open-ended working group on the rational-

²⁹⁵ S/19835, annex I.

²⁹⁶ A/45/664.

²⁹⁷ See A/C.3/45/L.2. For the printed text of the draft decision, see *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/838/Add.1, para. 2.