

6. *Invites* the Secretary-General to submit to the General Assembly at its forty-fourth session a report on the status of the Convention.

*75th plenary meeting
8 December 1988*

43/139. 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,² the International Covenants on Human Rights²⁰ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949,¹⁴²

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,

Emphasizing the obligations of all Governments to respect and protect human rights and to fulfil the responsibilities they have assumed under 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 all residents of the country before, during and after the withdrawal of all foreign forces,

Recalling all other relevant resolutions, in particular its resolution 42/135 of 7 December 1987,

Taking note of Commission on Human Rights resolution 1988/67 of 10 March 1988²⁷ and Economic and Social Council decision 1988/136 of 27 May 1988,

Welcoming the Agreements on the Settlement of the Situation Relating to Afghanistan¹⁴³ signed at Geneva on 14 April 1988 as a positive development, which, when fully implemented, should contribute to the creation of a situation that will permit the full enjoyment of human rights, including the right to self-determination, by all the people of Afghanistan,

Welcoming the co-operation that the Afghan authorities have extended to international organizations, in particular to the specialized agencies of the United Nations, to the Office of the United Nations High Commissioner for Refugees and to the International Committee of the Red Cross,

Having carefully examined the interim report of the Special Rapporteur on the situation of human rights in Afghanistan,¹⁴⁴ in which, while it is recognized that there have been some improvements in the human rights situation in the area controlled by the Afghan authorities, continuing violations of fundamental human rights within the country are revealed,

Recognizing that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance and contributing to violations of human rights and humanitarian law throughout the country,

Regretting that the Special Rapporteur was unable to visit areas not under the control of the Afghan authorities,

1. *Commends* the efforts of the Special Rapporteur to fulfil his mandate and takes note of his interim report on the situation of human rights in Afghanistan;

2. *Welcomes* the co-operation that the Afghan authorities extended to the Commission on Human Rights by permitting its Special Rapporteur to visit Afghanistan from 11 to 19 September 1988;

3. *Expresses its serious concern* that, in spite of improvements identified by the Special Rapporteur, acts of war continue and violations of human rights persist with the same frequency as in the past, especially affecting the civilian population and threatening the life and security of innocent men, women and children;

4. *Expresses its concern* that, despite the significant reduction in the numbers of political prisoners as a result of various measures, over two thousand persons are still in prison for political reasons, and urges the Afghan authorities to pursue the policy of amnesty and to guarantee that released prisoners are not placed under surveillance or harassed following their release;

5. *Notes with grave concern* the continuing allegations of torture and ill-treatment of prisoners on remand and political prisoners;

6. *Notes with equal concern* the reports of disappearances and urges the Afghan authorities to investigate the fate of all missing persons;

7. *Notes also with concern* indications that the economic, social and cultural situation in Afghanistan has deteriorated over the years of conflict and has now become critical;

8. *Expresses its great concern* that more than five million refugees remain outside the country because they fear the climate of insecurity in Afghanistan, the extensive presence of mines and explosives, and the continued bombardments of the civilian population;

9. *Calls once again upon* all the parties to the conflict, in order to alleviate the suffering of the people of Afghanistan, to apply fully the principles and rules of international humanitarian law and to co-operate fully and effectively with international humanitarian organizations, in particular to facilitate the protection activities of the International Committee of the Red Cross;

10. *Underlines* that in post-war Afghanistan it will be essential to adopt concrete measures aimed at securing the observance of human rights;

11. *Urges* the authorities in Afghanistan to continue to co-operate with 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-fourth session, the question of human rights and fundamental freedoms in Afghanistan in order to re-examine this question in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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¹⁴² United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹⁴³ *Official Records of the Security Council, Forty-third Year, Supplement for April, May and June 1988*, document S/19835, annex I.

¹⁴⁴ A/43/742, annex.