

torture and other cruel, inhuman or degrading practices, and of enforced or involuntary disappearances as a part of a general structured programme of repression aimed at quelling opposition;

(b) Extrajudicial killings, including political killings and summary or arbitrary executions throughout the country, particularly in the northern Kurdish autonomous region, in southern Shiah centres and in the southern marshes;

(c) Hostage-taking and the use of persons as "human shields", a most grave and blatant violation of Iraq's obligations under international law;

3. *Calls upon* the Government of Iraq to release all persons arrested and detained without ever being informed of charges against them, and without access to legal counsel or due process of law;

4. *Also calls upon* the Government of Iraq, as a State party to the International Covenant on Civil and Political Rights,²⁶ to abide by its obligations under this Covenant and under other international instruments on human rights, and particularly to respect and ensure these rights for individuals irrespective of their origin within its territory and subject to its jurisdiction, including Kurds and Shiites;

5. *Regrets* the failure of the Government of Iraq to provide satisfactory replies to all the allegations of violations of human rights, and calls upon it to reply quickly in a comprehensive and detailed manner to these allegations so as to enable the Special Rapporteur to form an accurate assessment as a basis for his recommendations to the Commission on Human Rights;

6. *Urges*, therefore, the Government of Iraq to accord its full cooperation to the Special Rapporteur during his forthcoming visit to Iraq to investigate the allegations of violations of human rights;

7. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur to fulfil his mandate;

8. *Decides* to continue the examination of the situation of human rights in Iraq during its forty-seventh session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

*75th plenary meeting
17 December 1991*

46/135. Situation of human rights in Kuwait under Iraqi occupation

The General Assembly,

Recalling its resolution 45/170 of 18 December 1990,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,⁸ the International Covenants on Human Rights²⁶ and the Geneva Conventions of 12 August 1949,¹⁷¹

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 obligations they have freely undertaken under the various international instruments,

Expressing its grave concern at the grave violations of

human rights and fundamental freedoms during the occupation of Kuwait,

1. *Takes note with satisfaction* of Commission on Human Rights resolution 1991/67 of 6 March 1991;³⁸

2. *Expresses its appreciation* to the Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation for his preliminary report;¹⁷⁸

3. *Expresses its deep concern* for Kuwaiti and third-country national detainees and missing persons in Iraq;

4. *Requests* the Government of Iraq to provide information on all Kuwaiti persons and third-country nationals deported from Kuwait between 2 August 1990 and 26 February 1991 who may still be detained and, in accordance with its obligations under article 118 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949¹⁷⁹ and article 134 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,¹⁸⁰ to release these persons without delay;

5. *Also requests* the Government of Iraq to provide, in accordance with its obligations under articles 120 and 121 of the Geneva Convention relative to the Treatment of Prisoners of War and articles 129 and 130 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, detailed information on persons arrested in Kuwait between 2 August 1990 and 26 February 1991 who may have died during or after that period while in detention, as well as on the site of their graves;

6. *Further requests* the Government of Iraq to search for the persons still missing and to cooperate with international humanitarian organizations, such as the International Committee of the Red Cross, in this regard;

7. *Requests* that the Government of Iraq cooperate with and facilitate the work of international humanitarian organizations, notably the International Committee of the Red Cross, in their search for and eventual repatriation of Kuwaiti and third-country national detainees and missing persons.

*75th plenary meeting
17 December 1991*

46/136. 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,⁸ the International Covenants on Human Rights²⁶ and accepted humanitarian rules as set out in the Geneva Conventions of 12 August 1949¹⁷¹ and the Additional Protocols thereto, of 1977,¹⁸¹

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