

4. *Condemns* the recurrence of the flagrant human rights violations committed under the illegal government that took power following the coup of 29 September 1991, in particular summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, restrictions on freedom of movement, expression, assembly and association and the repression of popular demonstrations calling for the return of President Jean-Bertrand Aristide;

5. *Calls the attention* of the international community to the fate of the Haitian nationals who are fleeing the country not only, as pointed out by the Special Rapporteur in his report, because of the serious deterioration in economic and social conditions, but also because of indiscriminate political persecution and repression;

6. *Expresses its appreciation* to the Office of the United Nations High Commissioner for Refugees for the work it is doing in favour of the Haitian nationals fleeing the country and invites Member States to continue to give financial and material support to its efforts;

7. *Calls upon* the States Members of the United Nations and of other international organizations to increase their humanitarian assistance to the people of Haiti, to support all efforts to resolve the problems of displaced persons and to encourage the strengthening of institutional coordination among the specialized agencies and between the United Nations and the Organization of American States;

8. *Decides* to keep the situation of human rights and fundamental freedoms in Haiti under review during its forty-eighth session and to consider it further in the light of the information supplied by the Commission on Human Rights and the Economic and Social Council.

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18 December 1992

#### 47/144. Situation in Myanmar

*The General Assembly,*

*Recalling* its resolution 46/132 of 17 December 1991,

*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>2</sup> the International Covenants on Human Rights<sup>16</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 article 21, paragraph 3, of the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government",

*Taking note* of Commission on Human Rights resolution 1992/58 of 3 March 1992,<sup>37</sup> in which the Commission, *inter alia*, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar, and to report

to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session,

*Noting* the measures taken by the Government of Myanmar, including its accession to the Geneva Conventions of 12 August 1949<sup>177</sup> for the protection of victims of war, the release of a number of political prisoners, the lifting of the curfew, the revocation of certain martial laws and the re-opening of the universities, in response to the concerns expressed by the international community, including the General Assembly and the Commission on Human Rights,

*Gravely concerned* that the Government of Myanmar still has not implemented its commitments to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

*Gravely concerned also* at the continued seriousness of the situation of human rights in Myanmar, including reports of torture and arbitrary execution, continued detention of a large number of persons for political reasons, the existence of important restrictions on the exercise of fundamental freedoms and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

*Noting* that the human rights situation in Myanmar has consequently resulted in massive flows of refugees to neighbouring countries,

*Deeply concerned* at the continuing problem of large numbers of refugees from Myanmar in neighbouring countries, including the almost 265,000 Myanmar Rohingya refugees in Bangladesh,

1. *Expresses its appreciation* to the Special Rapporteur of the Commission on Human Rights for his preliminary report<sup>208</sup> and the recommendations contained therein;

2. *Calls upon* the Government of Myanmar to extend its full and unreserved cooperation to the Special Rapporteur and to ensure that he has free access to any person in Myanmar whom he deems it appropriate to meet for the conduct of his mandate;

3. *Expresses its grave concern* about the continued seriousness of the human rights situation in Myanmar;

4. *Urges* the Government of Myanmar to take all necessary steps towards the restoration of democracy, fully respecting the will of the people as expressed in the democratic elections held in 1990;

5. *Also urges* the Government of Myanmar to take every appropriate measure to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights and to accelerate the process of transition to democracy, in particular through the transfer of power to the democratically elected representatives;

6. *Further urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms and the protection of the rights of persons belonging to ethnic and religious minorities;

7. *Notes* the release of a number of political leaders from detention;

8. *Deeply regrets*, however, that many political leaders are still deprived of their freedom and their fundamental rights;

9. *Calls upon* the Government of Myanmar to release unconditionally the Nobel Peace Laureate Aung San Suu Kyi, who is now in her fourth year of detention without

trial, and other political leaders and remaining political prisoners;

10. *Also calls upon* the Government of Myanmar to respect fully the obligations under the Geneva Conventions of 12 August 1949, in particular the obligations under article 3 common to the Conventions and to make use of such services as may be offered by impartial humanitarian bodies;

11. *Requests* the Government of Myanmar to invite the presence of the International Committee of the Red Cross in Myanmar in order for it to carry out its humanitarian tasks;

12. *Calls upon* the Government of Myanmar to create the necessary conditions to ensure an end to the flows of refugees to neighbouring countries and to facilitate their speedy repatriation and to cooperate fully with the relevant United Nations organs on this matter;

13. *Decides* to continue its consideration of this question at its forty-eighth session.

*92nd plenary meeting  
18 December 1992*

#### 47/145. 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>2</sup> and the International Covenants on Human Rights,<sup>16</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 and to other human rights instruments,

*Recalling* its resolution 46/134 of 17 December 1991, in which it expressed its deep concern about the flagrant violations of human rights by the Government of Iraq,

*Recalling also* 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 were respected,

*Recalling* in particular Commission on Human Rights resolution 1991/74 of 6 March 1991,<sup>36</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 might deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq,

*Bearing in mind* the pertinent resolutions of the Commission on Human Rights condemning the flagrant violations of human rights by the Government of Iraq, including its most recent, resolution 1992/71 of 5 March 1992,<sup>37</sup> in which the Commission decided to extend the mandate of the Special Rapporteur for a further year and requested him in pursuing his mandate to visit again the northern area of Iraq in particular, and to submit an interim report to the General Assembly at its forty-seventh session and a final report to the Commission at its forty-ninth session,

*Recalling* Security Council resolutions 706 (1991) of 15 August 1991, 712 (1991) of 19 September 1991 and 778 (1992) of 2 October 1992,

*Deeply concerned* by the massive and grave violations of human rights by the Government of Iraq, such as summary and arbitrary executions, torture and other cruel, inhuman or degrading treatment, enforced or involuntary disappearances, arbitrary arrests and detentions, and lack of due process and the rule of law and of freedom of thought, expression, association and access to food and health care,

*Deeply concerned also* by the fact that chemical weapons have been used on the Iraqi civilian population, by the forced displacement of hundreds of thousands of Iraqi civilians and by the destruction of Iraqi towns and villages, as well as by the fact that tens of thousands of displaced Kurds had to take refuge in camps and shelters in the north of Iraq,

*Deeply concerned further* by the current severe and grave violations of human rights by the Government of Iraq against the civilian population in southern Iraq, in particular the Shiah communities in the southern marshes,

*Expressing concern* in particular that there has been no improvement in the human rights situation in Iraq, and welcoming, therefore, the proposal of the Special Rapporteur for the deployment of a team of human rights monitors in Iraq,<sup>209</sup>

*Noting* that despite the formal cooperation extended to the Special Rapporteur, the Government of Iraq needs to improve that cooperation, in particular by giving full replies to the inquiries of the Special Rapporteur about acts it is committing that are incompatible with the international human rights instruments that are binding on Iraq,

1. *Takes note with appreciation* of the interim report on the situation of human rights in Iraq submitted by the Special Rapporteur of the Commission on Human Rights<sup>210</sup> and the observations, conclusions and recommendations contained therein;

2. *Expresses its strong condemnation* of the massive violations of human rights of the gravest nature, for which the Government of Iraq is responsible and to which the Special Rapporteur has referred in his recent reports, in particular:

(a) Summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shiah centres and in the southern marshes;

(b) The widespread routine practice of systematic torture in its most cruel forms, including the torture of children;

(c) Enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including of women and children, and consistent and routine failure to respect due process and the rule of law;

(d) Suppression of freedom of thought, expression and association, and violations of property rights;

3. *Deplors* the refusal of Iraq to cooperate in the implementation of Security Council resolutions 706 (1991) and 712 (1991) and its failure to provide the Iraqi population with access to adequate food and health care;

4. *Calls upon* the Government of Iraq to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States;