

5. *Calls once again upon Iraq*, as a State party to the International Covenant on Economic, Social and Cultural Rights<sup>144</sup> as well as to the International Covenant on Civil and Political Rights,<sup>144</sup> to abide by its freely undertaken obligations under the Covenants and under other international instruments on human rights, and particularly to respect and ensure the rights of all individuals irrespective of their origin within its territory and subject to its jurisdiction;

6. *Recognizes* the importance of the work of the United Nations in providing humanitarian relief to the people of Iraq, and calls upon Iraq immediately and fully to implement the Memorandum of Understanding signed on 22 October 1992 between the United Nations and the Government of Iraq and to cooperate with the United Nations programmes, including ensuring the safety and security of United Nations personnel and humanitarian workers;

7. *Expresses special alarm* at the repressive policies and practices directed against the Kurds, which continue to have an impact on the lives of the Iraqi people as a whole;

8. *Also expresses special alarm* at the resurgence of grave violations of human rights against Shiah communities, especially in southern Iraq, which is the result of a policy directed against the marsh Arabs in particular;

9. *Further expresses special alarm* at all internal embargoes, which prevent the equitable enjoyment of basic foodstuffs and medical supplies, and calls upon Iraq, which has sole responsibility in this regard, to remove them;

10. *Welcomes* the proposal of the Special Rapporteur for a system of human rights monitors which would constitute an independent and reliable source of information, and invites the Commission on Human Rights to follow up this proposal at its forty-ninth session;

11. *Urges once more* the Government of Iraq to set up an independent commission of inquiry to look into the fate of tens of thousands of persons who have disappeared;

12. *Regrets* the failure of the Government of Iraq to provide satisfactory and convincing replies concerning the violations of human rights brought to the attention of the Special Rapporteur, and calls upon it to reply without delay in a comprehensive and detailed manner;

13. *Urges*, therefore, the Government of Iraq to accord its full cooperation to the Special Rapporteur to enable him to make the appropriate recommendations to improve the human rights situation in Iraq;

14. *Requests* the Secretary-General to provide the Special Rapporteur with all the assistance necessary to carry out his mandate;

15. *Decides* to continue its consideration of the situation of human rights in Iraq during its forty-eighth 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.

*92nd plenary meeting  
18 December 1992*

#### **47/146. 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 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 the field,

*Taking note* of Commission on Human Rights resolution 1992/67 of 4 March 1992,<sup>37</sup>

*Regretting* that the Government of the Islamic Republic of Iran, after having allowed the Special Representative of the Commission on Human Rights to pay three visits to that country, has discontinued its cooperation with the Special Representative,

*Noting* the observation of the Special Representative that international supervision of the situation of human rights in the Islamic Republic of Iran should be maintained,

*Noting* that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/15 of 27 August 1992,<sup>211</sup> condemned the continuing grave violations of human rights in the Islamic Republic of Iran,

1. *Takes note with appreciation* of the interim report of the Special Representative of the Commission on Human Rights<sup>212</sup> and the observations contained therein;

2. *Expresses its deep concern* at continuing reports of violations of human rights in the Islamic Republic of Iran;

3. *Expresses its concern* more specifically at the main criticisms of the Special Representative of the human rights situation in the Islamic Republic of Iran, namely, the high number of executions, the practice of torture, the standard of the administration of justice, the absence of guarantees of due legal process, the treatment of the Baha'i community and restrictions of freedom of expression, thought and opinion and of the press;

4. *Expresses its grave concern* at the fact that, contrary to the earlier recommendation of the Special Representative, the application of the death penalty has been excessive;

5. *Regrets* that the Government of the Islamic Republic of Iran has not permitted the Special Representative to visit the country and failed to reply to allegations of human rights violations transmitted to it by the Special Representative in time for the reply to be reflected in the interim report;

6. *Regrets also* that, as the Special Representative concluded, the Islamic Republic of Iran has not given adequate follow-up to many of the recommendations contained in the previous reports;

7. *Calls upon* the Government of the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative in his observations, in particular as regards the administration of justice and due process of law;

8. *Also calls upon* the Government of the Islamic Republic of Iran to comply with international instruments on human rights, in particular the International Covenant on Civil and Political Rights,<sup>144</sup> 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;

9. *Endorses* the view of the Special Representative that the international monitoring of the human rights situation in the Islamic Republic of Iran should be continued;

10. *Encourages* the Government of the Islamic Republic of Iran to resume cooperation with the Special Representative;

11. *Requests* the Secretary-General to give all necessary assistance to the Special Representative;

12. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran during its forty-eighth 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.

92nd plenary meeting  
18 December 1992

#### 47/147. Situation of human rights in the territory of the former Yugoslavia

*The General Assembly,*

*Guided* by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>2</sup> the International Covenants on Human Rights,<sup>16</sup> the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>3</sup> the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>185</sup> the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>128</sup> and international humanitarian law, including the Geneva Conventions of 12 August 1949<sup>177</sup> and the Additional Protocols thereto, of 1977,<sup>178</sup>

*Deeply concerned* about the human tragedy in the territory of the former Yugoslavia, and at the continuing massive and systematic violations of human rights occurring in most of that territory, particularly in the areas of Bosnia and Herzegovina under Serbian control,

*Bearing in mind* Security Council resolutions 771 (1992) of 13 August 1992, 780 (1992) of 6 October 1992 and 787 (1992) of 16 November 1992, in which, *inter alia*, the Council demanded that all parties and others concerned in the former Yugoslavia should immediately cease and desist from all breaches of international humanitarian law, and pursuant to which the Secretary-General has established a Commission of Experts to examine and analyse information relating to violations of humanitarian law being committed in the territory of the former Yugoslavia,

*Recalling* its resolution 46/242 of 25 August 1992, in which it demanded an end to the fighting, condemned the massive violations of human rights and international humanitarian law occurring in the territory of the former Yugoslavia, in particular the abhorrent practice of "ethnic cleansing", rejected recognition of the acquisition of territory by force and demanded the safe, unconditional and honourable repatriation of refugees and deportees to their homes,

*Bearing in mind* its resolution 47/80 of 16 December 1992 in which it condemned unreservedly "ethnic cleansing", and reiterated its conviction that those who committed or ordered the commission of acts of "ethnic cleansing" were individually responsible and should be brought to justice,

*Noting* that the Commission on Human Rights, at its first special session, devoted to the consideration of the situation of human rights in the former Yugoslavia, adopted

resolution 1992/S-1/1 of 14 August 1992,<sup>171</sup> in which it condemned in the strongest terms all violations of human rights within the territory of the former Yugoslavia, called upon all parties to cease those violations immediately and to take all necessary steps to ensure full respect for human rights and fundamental freedoms and humanitarian law and requested its Chairman to appoint a special rapporteur to investigate the human rights situation in the territory of the former Yugoslavia,

*Noting with appreciation* the efforts of the Special Rapporteur, as well as those of the Chairman of the Working Group on Arbitrary Detention, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the question of torture and the Representative of the Secretary-General on internally displaced persons, who accompanied him on one or both of his missions,

*Welcoming* the decision by the Commission on Human Rights to meet again in special session to consider the reports of the Special Rapporteur,<sup>213</sup>

*Encouraging* the continuing efforts made in the framework of the International Conference on the Former Yugoslavia to find a peaceful solution to the situation in the former Yugoslavia, including the proposals made by the Co-Chairmen of the Steering Committee of the Conference for a constitution for the Republic of Bosnia and Herzegovina designed to protect human rights on the basis of fundamental human rights instruments,

*Welcoming* the consideration by the Human Rights Committee of the special reports from the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), Croatia and Bosnia and Herzegovina on the human rights situation in those parts of the territory of the former Yugoslavia, with respect to their obligations under the International Covenant on Civil and Political Rights,<sup>144</sup>

*Noting with concern* the comments adopted by the Human Rights Committee following consideration of those special reports at its meeting held on 6 November 1992,

*Welcoming* the effort by the Conference on Security and Cooperation in Europe to prevent further human rights violations and its missions dispatched to the territory of the former Yugoslavia, including missions of long duration to Kosovo, Vojvodina and Sandjak, where the human rights situation remains a cause of great concern,

*Gravely concerned* about the human rights situation in the territory of the former Yugoslavia, and in particular at the continuing, odious practice of "ethnic cleansing", which is the direct cause of the vast majority of human rights violations there and whose principal victims are the Muslim population threatened with virtual extermination,

*Alarmed* that, although the conflict in Bosnia and Herzegovina is not a religious conflict, it has been characterized by the systematic destruction and profanation of mosques, churches and other places of worship, as well as other sites of cultural heritage, in particular in areas currently or previously under Serbian control,

1. *Commends* the Special Rapporteur for his reports on the situation of human rights in the territory of the former Yugoslavia;<sup>214</sup>

2. *Expresses its grave concern* at the Special Rapporteur's detailed reports of violations of human rights and humanitarian law in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and