

and Herzegovina to uphold human rights in its territory, and urges it to fulfil the human rights commitments it has made;

28. *Notes with concern* that many of the past recommendations of the Special Rapporteur have not been fully implemented, in some cases because of resistance by the parties on the ground, and urges the parties, all States and relevant organizations to give immediate consideration to them, in particular the calls of the former and the current Special Rapporteurs:

(a) For the de facto Bosnian Serb authorities to provide prompt access for humanitarian monitors to territories controlled by them, in particular to the Banja Luka region and to Srebrenica, emphasizing that the fate of thousands of missing persons from Srebrenica requires immediate clarification;

(b) For the Government of Croatia to fulfil its responsibilities to secure the human rights of the remaining ethnic Serb population in all recently retaken territories and to remove all legal and administrative hurdles which are preventing the return of refugees and displaced persons;

(c) For greater cooperation between Governments and non-governmental organizations, recognizing that the work and role of non-governmental organizations is vital to the promotion and protection of the rights of the individual and respect and protection of human rights in the region;

(d) For the Federal Republic of Yugoslavia (Serbia and Montenegro) to undertake measures to respect fully the rights of persons belonging to national or ethnic, religious and linguistic minorities;

29. *Invites* the Commission on Human Rights, at its fifty-second session, to request the Special Rapporteur to report to the General Assembly at its fifty-first session;

30. *Decides* to continue its examination of this question at its fifty-first session under the item entitled "Human rights questions".

99th plenary meeting
22 December 1995

50/194. Situation of human rights in Myanmar

The General Assembly,

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,⁵ the International Covenants on Human Rights²² 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 the Universal Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 49/197 of 23 December 1994,

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992,³⁵ 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 their 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,

Taking note of Commission on Human Rights resolution 1995/72 of 8 March 1995,³⁸ in which the Commission decided to extend for one year the mandate of the Special Rapporteur on the situation of human rights in Myanmar,

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

Noting the recent developments regarding the composition of the National Convention,

Welcoming the release without conditions, on 10 July 1995, of Nobel Peace Prize Laureate Aung San Suu Kyi and a number of other political prisoners, as called for by the General Assembly,

Also gravely concerned, however, at the continued violations of human rights in Myanmar, as reported by the Special Rapporteur, including killings of civilians, arbitrary arrest and detention, restrictions on freedom of expression and association, torture, forced labour, forced portering, human rights abuses in border areas in the course of military operations, forced relocations and development projects, abuse of women and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

Welcoming the continuing cooperation between the Government of Myanmar and the Office of the United Nations High Commissioner for Refugees on the voluntary repatriation of refugees from Bangladesh to Myanmar,

Noting, however, that the human rights situation in Myanmar has resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

1. *Expresses its appreciation* to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar for his interim report;²¹¹

2. *Also expresses its appreciation* to the Secretary-General for his report;²¹²

3. *Deplores* the continued violations of human rights in Myanmar;

4. *Welcomes* the release without conditions of Nobel Peace Prize Laureate Aung San Suu Kyi and other prominent political leaders;

5. *Strongly urges* the Government of Myanmar to release immediately and unconditionally detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

6. *Urges* the Government of Myanmar to engage, at the earliest possible date, in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

7. *Welcomes* the discussions between the Government of Myanmar and the Secretary-General, and further encourages the Government of Myanmar to cooperate fully with the Secretary-General;

8. *Again urges* the Government of Myanmar, in conformity with its assurances given at various times, to take

²¹¹See A/50/568.

²¹²A/50/782.

all necessary steps towards the restoration of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990 and to ensure that political parties can function freely;

9. *Expresses its concern* that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of its objectives is to maintain the participation of the armed forces in a leading role in the future political life of the State, and notes with concern that the working procedures of the National Convention do not permit the elected representatives of the people freely to express their views;

10. *Strongly urges* the Government of Myanmar to take all appropriate measures 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 democratically elected representatives;

11. *Also strongly urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, and the protection of the rights of persons belonging to ethnic and religious minorities, and to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations, and to enforced disappearances and summary executions;

12. *Appeals* to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights,²² the International Covenant on Economic, Social and Cultural Rights²² and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;¹³⁵

13. *Urges* the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and to the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), of the International Labour Organisation;

14. *Stresses* the importance for the Government of Myanmar to give particular attention to conditions in the country's jails and to allow the International Committee of the Red Cross to communicate freely and confidentially with prisoners;

15. *Calls upon* the Government of Myanmar to respect fully the obligations of the Geneva Conventions of 12 August 1949,¹⁰⁷ and to make use of such services as may be offered by impartial humanitarian bodies;

16. *Expresses its grave concern* at the attacks by Myanmar army soldiers on the Karens and the Karennis during the past year, resulting in further refugee flows to a neighbouring country;

17. *Welcomes* the cessation of hostilities following the conclusion of cease-fire agreements between the Government of Myanmar and several ethnic groups;

18. *Encourages* the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

19. *Requests* the Secretary-General to continue his discussions with the Government of Myanmar in order to as-

sist in its efforts for national reconciliation and in the implementation of the present resolution and to report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-second session;

20. *Decides* to continue its consideration of this question at its fifty-first session.

99th plenary meeting
22 December 1995

50/195. Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the growing number of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problems this is creating for the international community,

Recalling the relevant norms of international human rights instruments and of international humanitarian law,

Bearing in mind the Vienna Declaration and Programme of Action,³ adopted by the World Conference on Human Rights on 25 June 1993, which calls for a comprehensive approach by the international community with regard to refugees and displaced persons,

Reiterating its call for a more concerted response by the international community to the needs of internally displaced persons while emphasizing that activities on their behalf must not undermine the institution of asylum,

Conscious of the continuing need for the United Nations system to gather information comprehensively on the issue of the protection of human rights of and assistance to internally displaced persons,

Welcoming the decision of the Commission on Human Rights in its resolution 1995/57 of 3 March 1995,³⁸ in which it extended the mandate of the representative of the Secretary-General on internally displaced persons for another three years to continue his review of the need for protection of and assistance to internally displaced persons, including his compilation and analysis of legal norms, the root causes of internal displacement, prevention and long-term solutions,

Noting the progress made thus far by the representative of the Secretary-General in developing a legal framework, studying the causes and manifestations of internal displacement and analysing institutional arrangements, undertaking dialogue with Governments, issuing a series of reports on particular country situations together with proposals for remedial measures, and raising the level of awareness, at both the national and international levels, concerning the problem of internal displacement,

Welcoming the cooperation already established between the representative of the Secretary-General and the United Nations humanitarian assistance and development organizations engaged in protecting and assisting internally displaced persons, as well as the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and other relevant organizations,

Welcoming in particular the decision by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to promote further consultations with the representative of the Secretary-General, as well as the decision by the Inter-Agency Standing Com-