

Reaffirming that Governments are accountable for assassinations and attacks by their agents against persons in the territory of another State, as well as for the incitement, approval or wilful condoning of such acts,

Noting that in the view of the Special Representative the significant number of communications received by the Centre for Human Rights of the Secretariat for the attention of the Special Representative and the important concerns reflected therein will need careful scrutiny,

Welcoming the announcement by the Special Representative that he has been invited to visit the Islamic Republic of Iran and the high priority given by the Special Representative to visiting the country,

Noting the stated readiness of the Government of the Islamic Republic of Iran to invite the Special Rapporteur of the Commission on Human Rights on religious intolerance and the Special Rapporteur of the Commission on Human Rights on freedom of expression to visit the Islamic Republic of Iran,

Noting also the concluding observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran,

Noting further that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1995/18, condemned the flagrant violations of human rights in the Islamic Republic of Iran,

Taking note of the interim report of the Special Representative of 20 October 1995,¹⁹⁶ and his intention to present a substantive report to the Commission on Human Rights,

Taking into account the reports of the former Special Representative, including his report of 16 January 1995,¹⁹⁷

Considering that continued international scrutiny of human rights and fundamental freedoms in the Islamic Republic of Iran is warranted and that the subject should remain on the agenda of the General Assembly,

1. *Expresses its concern* at violations of human rights in the Islamic Republic of Iran, in particular the high number of executions, cases of torture and cruel, inhuman or degrading treatment or punishment, the failure to meet international standards with regard to the administration of justice, the absence of guarantees of due process of law, the discriminatory treatment of minorities by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community in the Islamic Republic of Iran is threatened, lack of adequate protection for the Christian minorities, some members of which have been the target of intimidation and assassinations, excessive force in suppressing demonstrations, restrictions on the freedom of expression, thought, opinion and the press and widespread discrimination against women;

2. *Urges* the Government of the Islamic Republic of Iran, as a State party to the International Covenants on Human Rights, to abide by its obligations freely undertaken under the Covenants and under other international instruments on human rights and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in those instruments;

3. *Calls upon* the Government of the Islamic Republic of Iran to implement existing agreements with international humanitarian organizations;

4. *Also calls upon* the Government of the Islamic Republic of Iran to take the necessary steps so that the visit of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran can take place as soon as possible and without conditions;

5. *Expresses its grave concern* that there are continuing threats to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran;

6. *Urges* the Government of the Islamic Republic of Iran to refrain from activities against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them;

7. *Requests* the Secretary-General to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

8. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, during its fifty-first session under the item entitled "Human rights questions", on the basis of the report of the Special Representative and in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

99th plenary meeting
22 December 1995

50/189. Situation of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,⁵ the International Covenants on Human Rights²² and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949¹⁰⁷ and the Additional Protocols thereto, of 1977,¹⁰⁸

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 all its relevant resolutions, as well as the resolutions of the Commission on Human Rights and the decisions of the Economic and Social Council,

Taking note in particular of Commission on Human Rights resolution 1995/74 of 8 March 1995,³⁸ in which the Commission decided to extend the mandate of its Special Rapporteur on the situation of human rights in Afghanistan for one year and requested him to consider submitting a report to the General Assembly at its fiftieth session, and of Economic and Social Council decision 1995/285 of 25 July 1995, in which the Council approved the Commission's decision,

Noting that armed confrontation persists in certain parts of the territory of Afghanistan,

Aware that peace and security in Afghanistan are conducive to the full restoration of all human rights and fundamental freedoms, the voluntary return of refugees to their homeland in safety and dignity, the clearance of

¹⁹⁶See A/50/661.

¹⁹⁷E/CN.4/1995/55.

minefields in many parts of the country and the reconstruction and rehabilitation of Afghanistan,

Deeply concerned at reports of human rights abuses and violations of humanitarian law and human rights, including the rights to life, liberty and security of person and to freedom of opinion, expression and association,

Concerned in particular at reports of abuses and violations of the human rights of women, including acts of violence and denial of access to primary and basic education, training and employment, affecting their effective participation in political and cultural life throughout the country,

Concerned that a unified judicial system cannot be established throughout the country under the prevailing circumstances,

Commending the activities carried out for the welfare of the Afghan people by various agencies and programmes of the United Nations and by the International Committee of the Red Cross and other humanitarian organizations,

Noting with satisfaction that the voluntary repatriation of the Afghan refugees has resumed,

Taking note with appreciation of the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan,¹⁹⁸ of the conclusions and recommendations contained therein and of the translation of previous reports into the Dari and Pashtu languages,

1. *Welcomes* the cooperation that the Government and local authorities in Afghanistan have extended to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan and to humanitarian agencies;

2. *Urges* all the Afghan parties to work with the United Nations Special Mission to Afghanistan with a view to achieving a comprehensive political solution leading to the cessation of armed confrontation and the eventual establishment of a democratic Government elected through free and fair elections based on the right to self-determination of the people of Afghanistan;

3. *Recognizes* that the promotion and protection of human rights should be an essential element in the achievement of a comprehensive solution to the crisis in Afghanistan, and therefore invites the Special Mission and the Special Rapporteur to exchange relevant information and to consult and cooperate with each other;

4. *Also urges* all the Afghan parties to respect accepted humanitarian rules and all human rights and fundamental freedoms, including the rights of women and children, and calls upon the Afghan authorities to take measures to ensure the effective participation of women in social, political and cultural life throughout the country;

5. *Calls* for the unconditional and simultaneous release of all prisoners of war, wherever they may be held, including former Soviet prisoners of war, and for the tracing of the many Afghans still missing as a result of the war;

6. *Calls upon* the Afghan authorities to investigate thoroughly the fate of those persons who have disappeared during the conflict, to apply the amnesty decree issued in 1992 by the Transitional Islamic State of Afghanistan in a strictly non-discriminatory manner, to reduce the period during which prisoners await trial and to treat all sus-

pected, convicted or detained persons according to relevant international instruments;

7. *Urges* the Afghan authorities to provide sufficient and effective remedies to the victims of grave violations of human rights and accepted humanitarian rules and to bring their perpetrators to trial in accordance with internationally accepted standards;

8. *Appeals* to Member States and to the international community to continue to provide adequate humanitarian assistance to the people of Afghanistan and to the Afghan refugees in the neighbouring countries, pending their voluntary repatriation according to relevant international instruments, in particular through the support of activities such as mine detection and clearance and repatriation projects undertaken by the United Nations High Commissioner for Refugees, the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan as well as by United Nations agencies or non-governmental humanitarian organizations;

9. *Strongly urges* all parties to the conflict to take all necessary measures to ensure the safety of all personnel of humanitarian organizations and representatives of the media in Afghanistan;

10. *Invites* the United Nations to offer, upon the request of the Afghan authorities and with due regard for Afghan tradition, advisory services and technical assistance concerning the drafting of a constitution, which should embody internationally accepted human rights principles, and the holding of direct elections;

11. *Encourages* the United Nations Educational, Scientific and Cultural Organization to study, with the contribution of its competent committees, appropriate ways and means to restore the Afghan system of education and the Afghan cultural heritage, in particular the restoration of the Kabul Museum;

12. *Urges* the Afghan authorities to continue to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

13. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

14. *Decides* to keep the situation of human rights in Afghanistan under consideration at its fifty-first session, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

99th plenary meeting
22 December 1995

50/190. Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,⁵ the International Covenants on Human Rights,²² the International Convention on the Elimination of All Forms of Racial Discrimination,⁶ the Convention on the Prevention and Punishment of the Crime of Genocide¹⁹⁹ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹³⁵

Welcoming the General Framework Agreement for

¹⁹⁸See A/50/567.

¹⁹⁹Resolution 260 A (III).