

4. *Once more urgently requests* the Chilean authorities to respect and promote human rights in conformity with the obligations undertaken under various international instruments and, in particular, to adopt the concrete measures contemplated in resolution 1982/25 of the Commission on Human Rights, especially the lifting of the state of emergency and the state of exception and the re-establishment of democratic institutions, by ensuring the full enjoyment and exercise of the civil and political rights as well as the economic, social and cultural rights and fundamental freedoms of the Chilean people, as provided in those international instruments;

5. *Urges once more* the Chilean authorities to investigate and clarify the fate of all persons who have disappeared in Chile for political reasons, to inform their families of the results of such investigation and to punish those responsible for the disappearance;

6. *Further urges again* the Chilean authorities to restore the full enjoyment of trade union rights, in particular the right to organize trade unions, the right to collective bargaining and the right to strike;

7. *Urges* the Chilean authorities to respect, in conformity with the International Covenant on Civil and Political Rights,<sup>119</sup> the right of Chilean nationals to live in and freely enter and leave Chilean territory, without restrictions or conditions of any kind, and to cease the practice of "relegation" (assignment of forced residence) and forced exile, in particular of those who participate in trade union activities, academic life or the defence of human rights;

8. *Also urges* the Chilean authorities to put an end to arbitrary detentions and imprisonment in secret places and the practice of torture and other forms of inhuman or degrading treatment which have resulted on occasion in unexplained deaths;

9. *Requests* the Chilean authorities to respect fully the economic, social and cultural rights of the Chilean population in general and of the indigenous population in particular;

10. *Concludes*, on the basis of the report of the Special Rapporteur, that it is necessary to keep under consideration the situation of human rights in Chile;

11. *Calls again* on the Chilean authorities to co-operate with the Commission on Human Rights and its Special Rapporteur and to submit commentaries on his report to the Commission on Human Rights at its thirty-ninth session;

12. *Requests* the Commission on Human Rights to study in depth the report of the Special Rapporteur at its thirty-ninth session, with a view to taking the most appropriate steps, in particular the extension of the mandate of the Special Rapporteur, and report on its consideration, through the Economic and Social Council, to the General Assembly at its thirty-eighth session.

*110th plenary meeting  
17 December 1982*

#### **37/184. Situation of human rights and fundamental freedoms in Guatemala**

*The General Assembly,*

*Reiterating* that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms,

*Recalling* Commission on Human Rights resolution 1982/31 of 11 March 1982,<sup>124</sup> in which the Commission expressed its profound concern at the continuing deterioration in the situation of human rights and fundamental freedoms in Gua-

temala under the previous régime and in which it requested its Chairman to appoint a Special Rapporteur,

*Taking into account* General Assembly decision 36/435 of 16 December 1981,

*Expressing its satisfaction* at the declared willingness of the present Government of Guatemala to co-operate with the Special Rapporteur to be appointed pursuant to Commission on Human Rights resolution 1982/31 with a mandate to make a thorough study of the human rights situation in Guatemala,

*Taking note* of resolution 1982/17 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>126</sup> in which the Sub-Commission expressed alarm at reports of massive repression against and displacement of indigenous populations,

*Disturbed* about the large number of missing persons, who, despite appeals from various international organizations to the Government of Guatemala, remain unaccounted for,

*Noting with concern* the state of siege in force in Guatemala since 1 July 1982, under which basic human rights are abrogated and serious violations of human rights are reported to occur,

1. *Expresses its deep concern* at the serious violations of human rights reported to be taking place in Guatemala, particularly those reports of widespread repression, killing and massive displacement of rural and indigenous populations;

2. *Urges* the Government of Guatemala to ensure that human rights and fundamental freedoms are fully respected by all its authorities and agencies, including its security forces;

3. *Appeals* to the Government of Guatemala to allow international humanitarian organizations to give their assistance to those displaced;

4. *Appeals also* to all parties concerned in Guatemala to seek an end to all acts of violence;

5. *Calls upon* Governments to refrain from supplying arms and other military assistance as long as serious human rights violations in Guatemala continue to be reported;

6. *Invites* the Government of Guatemala and other parties concerned to co-operate with the Special Rapporteur of the Commission on Human Rights;

7. *Requests* the Commission on Human Rights to study carefully the report of its Special Rapporteur and to consider, in the light of that report, further steps for securing human rights and fundamental freedoms for all in Guatemala.

*110th plenary meeting  
17 December 1982*

#### **37/185. Situation of human rights and fundamental freedoms in El Salvador**

*The General Assembly,*

*Guided* by the principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights,<sup>118</sup>

*Conscious* of its responsibility in all circumstances to promote and encourage respect for human rights and fundamental freedoms for all,

*Reiterating* that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to carry out the responsibilities they have undertaken under various international human rights instruments,

*Determined* to remain vigilant with regard to violations of human rights wherever they occur and to take measures to restore respect for human rights and fundamental freedoms,

*Recalling* that, in its resolutions 35/192 of 15 December 1980 and 36/155 of 16 December 1981, it expressed deep concern at the situation of human rights in El Salvador, especially in view of the death of thousands of people, the climate of violence and insecurity prevailing in that country and the impunity of paramilitary forces and other armed groups,

*Bearing in mind* Commission on Human Rights resolution 32 (XXXVII) of 11 March 1981,<sup>128</sup> in which the Commission decided to appoint a Special Representative on the situation of human rights in El Salvador, and resolution 1982/28 of 11 March 1982,<sup>129</sup> whereby the Commission extended the mandate of the Special Representative for another year and requested him to report, *inter alia*, to the General Assembly at its thirty-seventh session,

*Taking note* of resolutions 10 (XXXIV) of 9 September 1981<sup>130</sup> and 1982/26 of 8 September 1982<sup>126</sup> of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

*Taking note with grave concern* of the interim report of the Special Representative of the Commission on Human Rights,<sup>131</sup> in which the unabated continuation of a climate of violence and insecurity in El Salvador with armed clashes, acts of terrorism and unbridled, large-scale and grave violations of human rights, as well as the failure of the judiciary to fulfil its duties to uphold the rule of law, are confirmed,

*Observing* that the elections which were held in El Salvador in March 1982 have not led to the cessation of violence or to any improvement in the situation of human rights and fundamental freedoms in that country,

1. *Expresses its deepest concern* at the continued and unbridled violations of human rights and at the resulting suffering of the Salvadorian people, and regrets that the appeals for the cessation of violence made by the General Assembly, the Commission on Human Rights and the international community in general have not been heeded;

2. *Again draws the attention* of all Salvadorian parties concerned to the fact that the rules of international law, as contained in article 3 common to the Geneva Conventions of 12 August 1949<sup>132</sup> on the laws of war, are applicable to armed conflicts not of an international character and requests all parties to the conflict to apply a minimum standard of protection of human rights and of human treatment to the civilian population;

3. *Notes* that the situation in El Salvador, as is clearly shown in the report of the Special Representative of the Commission on Human Rights, has its root causes in internal political, economic and social factors, and that conditions in El Salvador for the effective exercise of civil and political rights do not exist at present;

4. *Reaffirms* the right of the Salvadorian people freely to determine their political, economic and social future without interference from outside and in an atmosphere free from intimidation and terror from all parties;

5. *Regrets* that the Government of El Salvador has not responded to suggestions to initiate, through available channels, contacts to negotiate a peaceful settlement with all representative political forces in that country;

<sup>128</sup> See *Official Records of the Economic and Social Council, 1981, Supplement No. 5* (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

<sup>129</sup> *Ibid.*, 1982, *Supplement No. 2* (E/1982/12 and Corr.1), chap. XXVI, sect. A.

<sup>130</sup> See E/CN.4/1512-E/CN.4/Sub.2/495, chap. XX, sect. A.

<sup>131</sup> A/37/611, annex.

<sup>132</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

6. *Calls again upon* the parties in El Salvador to seek an end to all acts of violence in order to end the loss of life and the suffering of the people of El Salvador;

7. *Reiterates its appeal* to the Government and other political forces in El Salvador to work together towards a comprehensive negotiated political solution in order to bring about a peaceful settlement and appropriate conditions for the establishment of a Government through free and unhampered elections, in an atmosphere free from intimidation and terror;

8. *Reiterates its appeal* to all States to abstain from intervening in the internal situation in El Salvador and to suspend all supplies of arms and any type of military assistance, so as to allow the political forces in that country to restore peace and security and to permit the establishment of a democratic system;

9. *Strongly urges* the Government of El Salvador to fulfil its obligations towards its citizens and to assume its international responsibilities in this regard by taking the necessary steps to ensure that human rights and fundamental freedoms are fully respected by all its agencies, including its security forces and other armed organizations operating under its authority or with its permission;

10. *Urges* the judiciary in El Salvador to assume its obligation to uphold the rule of law and to prosecute and to punish those found responsible for assassinations, acts of torture and other forms of cruel, inhuman or degrading treatment;

11. *Reiterates its appeal* to all Salvadorian parties concerned to co-operate fully and not to interfere with the activities of humanitarian organizations dedicated to alleviating the suffering of the civilian population, wherever these organizations operate in El Salvador;

12. *Calls again upon* the Government of El Salvador, as well as all other parties concerned, to continue to co-operate with the Special Representative of the Commission on Human Rights;

13. *Requests* the Commission on Human Rights at its thirty-ninth session to continue to examine, as a matter of high priority, the situation in El Salvador on the basis of the report of its Special Representative;

14. *Decides* to keep under consideration, during its thirty-eighth session, the situation of human rights and fundamental freedoms in El Salvador, in order to examine this situation anew in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

*110th plenary meeting  
17 December 1982*

### 37/186. Human rights and mass exoduses

*The General Assembly,*

*Mindful* of its general humanitarian mandate under the Charter of the United Nations and its mandate to promote and encourage respect for human rights and fundamental freedoms for all,

*Deeply disturbed* by the increasing scale and magnitude of exoduses and displacements of populations in many regions of the world and by the human suffering of millions of refugees and displaced persons in all regions of the world,

*Conscious* that human rights violations are among the principal factors in the complex and multiple root causes of mass exoduses and displacements of population,

*Deeply preoccupied* by the increasingly heavy burden being imposed upon the international community as a whole,