

and participation for the economic and social advancement of all peoples, with particular reference to the economies of developing countries;

3. *Requests* the Secretary-General, in consultation with Member States, to appoint the members of the Panel from lists of experts within the United Nations system, in particular members of the Committee for Development Planning, taking into account the outcome of discussions on Economic and Social Council resolution 1993/81 of 30 July 1993 and the relevant provisions of General Assembly resolution 47/191 of 22 December 1992, so that they will commence their study as early as possible in 1994 in order to prepare a comprehensive, systematic and thorough report, including appropriate conclusions and practical recommendations, guided by the consensus and principles on international cooperation for development as enshrined in various agreements and declarations referred to in the preamble of the present resolution, and based on their own independent judgement, in time for consideration by the General Assembly at its fiftieth session in 1995;

4. *Invites* Member States and international organizations to contribute on a voluntary basis towards implementation of the present resolution;

5. *Invites* the United Nations Panel on Opportunity and Participation, in the preparation of the above-mentioned study, to draw, *inter alia*, on the ongoing discussions in the context of the preparation of an agenda for development;

6. *Requests* the Secretary-General to submit to the General Assembly at its forty-ninth session a progress report on the work of the Panel;

7. *Decides* to include in the provisional agenda of its forty-ninth session a sub-item entitled "United Nations initiative on opportunity and participation" under the item entitled "Development and international economic cooperation".

79th plenary meeting  
14 December 1993

#### 48/88. The situation in Bosnia and Herzegovina

*The General Assembly,*

*Reaffirming* its resolutions 46/242 of 25 August 1992 and 47/121 of 18 December 1992 and all relevant resolutions of the Security Council regarding the situation in the Republic of Bosnia and Herzegovina,

*Reaffirming once again* that, as the Republic of Bosnia and Herzegovina is a sovereign, independent State and a Member of the United Nations, it is entitled to all rights provided for in the Charter of the United Nations, including the right to self-defence under Article 51 thereof,

*Gravely concerned* that the unprovoked armed hostilities and aggression continue against Bosnia and Herzegovina and that the relevant resolutions of the Security Council remain unimplemented,

*Recalling* the report of the Committee on the Elimination of Racial Discrimination,<sup>99</sup> in which the Committee "noted with great concern that links existed between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Serbian militias

and paramilitary groups responsible for massive, gross and systematic violations of human rights in Bosnia and Herzegovina and in Croatian territories controlled by Serbs",<sup>100</sup>

*Condemning* the continuing hostilities by the Bosnian Serbs, particularly their abhorrent policy of "ethnic cleansing",

*Alarmed* at extremist Bosnian Croat military elements for their aggressive acts against Bosnia and Herzegovina,

*Alarmed also* at the collusion between Serbian forces and extremist Bosnian Croat elements and others to seek the dismemberment of the Republic of Bosnia and Herzegovina, in clear violation of the principles of the Charter of the United Nations and in total disregard of the relevant resolutions of the General Assembly and those of the Security Council,

*Deploring* the non-compliance with the relevant Security Council resolutions, especially by the Bosnian Serb party,

*Recalling* the principles enunciated in its resolutions and the relevant resolutions of the Security Council, as well as those adopted by the International Conference on the Former Yugoslavia,

*Reaffirming its determination* to have the Republic of Bosnia and Herzegovina maintain its independence, unity and territorial integrity, and noting, in accordance with Article 24 of the Charter, the responsibility of the Security Council in that regard,

*Also reaffirming its determination* to prevent acts of genocide and crimes against humanity,

*Reaffirming once again* its total and complete rejection of the acquisition of territory through the use of force and the abhorrent practice of "ethnic cleansing",

*Stressing* that the continuation of aggression in Bosnia and Herzegovina is a serious impediment to the peace process,

*Bearing in mind* the obligation of all States to act in conformity with the principles and purposes of the Charter,

*Stressing also* that the full implementation of Security Council resolutions concerning the United Nations Protected Areas in the territory of the Republic of Croatia is of significant importance for the security, territorial integrity and stability of the Republic of Bosnia and Herzegovina,

*Noting* that the International Court of Justice, in its Order of 13 September 1993 in the case concerning application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro)), indicated as a provisional measure that "the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) should immediately, in pursuance of its undertaking in the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, take all measures within its power to prevent commission of the crime of genocide",<sup>101</sup>

*Taking note* of the Order of the International Court of Justice of 13 September 1993, in which it stated that "the present perilous situation demands ... [the] immediate and effective implementation of those [provisional] measures",<sup>102</sup>

*Commending* the work of the Commission of Experts established pursuant to Security Council resolution 780 (1992) of 6 October 1992, and noting with interest the first and second interim reports of the Commission,<sup>103</sup>

*Expressing its concern* about the continuing siege of Sarajevo and other Bosnian cities and of "safe areas", which endangers the well-being and safety of their inhabitants,

*Aware*, in the context of the character of Sarajevo as a multicultural, multi-ethnic and multireligious centre, of the need to preserve its plurality and avoid its further destruction,

*Conscious* that the grave situation in Bosnia and Herzegovina continues to be a threat to international peace and security,

1. *Reaffirms* the principles enunciated in its resolutions and the relevant resolutions of the Security Council and those adopted by the International Conference on the Former Yugoslavia pertaining to the Republic of Bosnia and Herzegovina;

2. *Demands* that all parties implement immediately, and scrupulously maintain in good faith, a cease-fire and agree to cease all hostilities throughout Bosnia and Herzegovina, in order to create an atmosphere conducive to the resumption of peace negotiations within the framework of the International Conference on the Former Yugoslavia;

3. *Reaffirms* that the consequences of "ethnic cleansing" will not be accepted by the international community and that those who have seized land by "ethnic cleansing" and by the use of force must relinquish those lands, in conformity with norms of international law;

4. *Condemns* the continued violation of the international border between the Republic of Bosnia and Herzegovina and the Republic of Croatia by Serbian forces, and thereby requests the Security Council to take all necessary measures in implementation of its resolution 769 (1992) of 7 August 1992;

5. *Requests* the Security Council to follow and immediately implement its resolution 838 (1993) of 10 June 1993 to ensure that the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately ceases the supply of military arms, equipment and services to Bosnian Serb paramilitary units, as demanded in its resolution 819 (1993) of 16 April 1993;

6. *Demands* that the Bosnian Serb party lift forthwith the siege of Sarajevo and other "safe areas", as well as other besieged Bosnian towns, and urges the Secretary-General to direct the United Nations Protection Force to take necessary measures, in accordance with relevant Security Council resolutions, for the protection of the "safe areas";

7. *Also demands* that, as a means of bringing about the cessation of hostilities and to facilitate delivery of humanitarian assistance, in accordance with paragraphs 5 and 9 of Security Council resolution 836 (1993) of 4 June 1993, the Bosnian Serb party withdraw all its heavy weaponry and forces to areas outside the city of Sarajevo and other "safe areas" to a distance where they cease to constitute a menace to their security and that of their inhabitants and where they are to be monitored by United Nations military observers, and urges all parties to agree to implement further confidence-building measures;

8. *Reaffirms once again* the right of all refugees and displaced persons to return voluntarily to their homes in safety and dignity;

9. *Commends* the ongoing efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Protection Force and other international humanitarian agencies, and notes with the utmost appreciation those individuals who have shown exemplary bravery and courage and those who have made the ultimate sacrifice in carrying out their duties;

10. *Urges* the Office of the United Nations High Commissioner for Refugees, as part of its humanitarian assistance programme, to provide appropriate assistance to facilitate cultural exchanges between Sarajevo and the international community and to facilitate the delivery and installation of a reliable communication system in Sarajevo for the use of the civilian population;

11. *Urges* the Secretary-General to take immediate action to reopen the Tuzla airport in order to facilitate the receipt and distribution of international humanitarian aid, consistent with the provisions of Security Council resolution 770 (1992) of 13 August 1992;

12. *Demands* that all concerned facilitate the unhindered flow of humanitarian assistance, including the provision of water, electricity, fuel and communication, in particular to the "safe areas" in Bosnia and Herzegovina, and in this context urges the Security Council to implement fully its resolution 770 (1992) to ensure the free flow of humanitarian assistance, particularly, to the "safe areas";

13. *Commends* all States, and in particular the States bordering on the Federal Republic of Yugoslavia (Serbia and Montenegro) and the other Danube riparian States, for the measures they have taken to comply with the mandatory sanctions imposed by the Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro), and urges all States to continue their vigilant enforcement of those sanctions measures;

14. *Condemns vigorously* the violations of the human rights of the Bosnian people and of international humanitarian law committed by parties to the conflict, especially those violations committed as policy, flagrantly and on a massive scale, by the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs;

15. *Urges* the Security Council, in fulfilling its responsibility under Article 24 of the Charter of the United Nations, to take all appropriate steps to uphold and restore fully the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina, in cooperation with States Members of the United Nations and the Government of the Republic;

16. *Deeply alarmed* by the continuing systematic abuses committed against Albanians, Bosnians, Hungarians and Croats, and others in Kosovo, Sandzak and Vojvodina, respectively, by the authorities of Serbia and Montenegro, and in that regard condemns the decision of those authorities not to renew the mandate of the monitoring missions of the Conference on Security and Cooperation in Europe in those regions;

17. *Also urges* the Security Council to give all due consideration, on an urgent basis, to exempt Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991) of 25 September 1991;

18. *Urges Member States*, as well as other members of the international community, from all regions to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defence in accordance with Article 51 of Chapter VII of the Charter;

19. *Reaffirms* its resolution 47/1 of 22 September 1992, and urges Member States and the Secretariat in fulfilling the spirit of that resolution to end the de facto working status of the Federal Republic of Yugoslavia (Serbia and Montenegro);

20. *Requests* that the International Committee of the Red Cross be granted free access to all detention camps established by the Serbs in Serbia and Montenegro and in Bosnia and Herzegovina and to all persons imprisoned in those camps, and that all prisoners be notified of this action without delay;

21. *Requests* the Security Council to act immediately to close all detention camps in Bosnia and Herzegovina and further to close concentration camps established by the Serbs in Serbia and Montenegro and in Bosnia and Herzegovina and, until implementation, to assign international observers to those camps;

22. *Expresses its appreciation* to those States and international institutions which have provided humanitarian assistance to the people of Bosnia and Herzegovina, and appeals to all Member States to contribute generously towards alleviating their sufferings, including assistance to refugee centres for Bosnian refugees in other countries;

23. *Further affirms* individual responsibility for the perpetration of crimes against humanity committed in Bosnia and Herzegovina;

24. *Welcomes* the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, constituted pursuant to Security Council resolution 827 (1993) of 25 May 1993, and encourages the provision of all resources necessary, including voluntary contributions from States and intergovernmental and non-governmental organizations, so that it can conduct its stipulated functions of trying and punishing those responsible for the perpetration of violations of international law;

25. *Encourages* the Commission of Experts established pursuant to Security Council resolution 780 (1992), subject to the provisions of Council resolution 827 (1993) and in cooperation with the Prosecutor of the International Tribunal, to facilitate the work of the International Tribunal, including the establishment of a record of violations such as "ethnic cleansing" and systematic rape;

26. *Requests* the Secretary-General to provide the necessary resources and support for the Commission to carry out its functions;

27. *Calls upon* the Security Council to ensure that the proposals contained in the "Geneva peace package"<sup>104</sup> are in conformity with the Charter of the United Nations, the principles of international law, previous resolutions of the General Assembly and those adopted by the Security Council, and the principles adopted at the International Conference on the Former Yugoslavia;

28. *Calls* for the urgent reconvening of the International Conference on the Former Yugoslavia in order to arrive at just and equitable proposals for lasting peace in Bosnia and Herzegovina, and calls upon the parties to the conflict to show good faith as they continue to negotiate in order to reach a just, equitable and durable solution;

29. *Requests* the Secretary-General to submit a report on the implementation of the present resolution within 15 days of its adoption, as well as the report called for under the auspices of the London Conference, which, regrettably, has not yet been issued;

30. *Decides* to remain seized of the matter and to continue the consideration of this item.

84th plenary meeting  
20 December 1993

#### 48/158. Question of Palestine

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#### COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

*The General Assembly,*

*Recalling* its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A and B of 7 December 1978, 34/65 A of 29 November 1979 and 34/65 C of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A and C of 15 December 1980, 36/120 A and C of 10 December 1981, ES-7/4 of 28 April 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988, 44/41 A of 6 December 1989, 45/67 A of 6 December 1990, 46/74 A of 11 December 1991 and 47/64 A of 11 December 1992,

*Having considered* the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,<sup>105</sup>

*Welcoming* the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization on 13 September 1993 in Washington, D.C.,<sup>89</sup>

*Reaffirming* that the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,