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THIRD COMMITTEE  
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

United States: draft resolution

Question of human rights and fundamental freedoms in Cuba

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations and the Universal Declaration of Human Rights 1/ and recalling in particular the Declaration's recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family,

Reminded as well of the Declaration's concern that during this century disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind,

Recalling its resolution 34/175 of 17 December 1979 in which it reaffirmed that mass and flagrant violations of human rights are of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

Recalling further its resolutions 2858 (XXVI) of 20 December 1971, 3144 (XXVIII) of 14 December 1973, and 40/146 of 13 December 1985 concerning human rights in the administration of justice, resolutions 36/22 of 9 November 1981 and 40/143 of 13 December 1985 condemning the practice of summary or arbitrary executions, resolution 40/149 of 13 December 1985 related to human rights and mass exoduses, and resolutions 36/55 of 25 November 1981 and 40/109 of 13 December 1985 with regard to the elimination of all forms of religious intolerance,

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1/ Resolution 217 A (III).

Taking into account the relevant General Assembly resolutions concerning the further **vromotion** of **human** rights, including resolution **39/144** of 14 December 1984 and resolution **40/123** of 13 December 1985 relating to the activities of national institutions in the field of **human rights**; as well as resolution **40/125** of **13 December** 1985 relating to the development of **public information** activities in the field of **human** rights,

Aware, therefore, of its solemn responsibility to **promote** and **encourage** respect for **human** rights and fundamental freedoms and **resolved** to remain **vigilant** with regard to violations of those rights, wherever they occur,

Reaffirming the obligation of the Government of Cuba to respect and protect human rights and fundamental freedoms in accordance with **internationall** accepted standards, an obligation no different from that of the Government of any other **State Member** of the United Nations,

Dismayed that for nearly **thirty years the Government** of Cuba has denied adequate access to **and** refused to otherwise co-operate with representatives of **internat ional** organizations concerned with the **human rights situation in Cuba**,

Deeply alarmed by persistent reports from individuals and groups familiar with the **situation in Cuba**, in particular the testimony of hundreds of recently released political prisoners, that provide evidence of a **continuing** disregard and systematic abuse of **the most** fundamental rights by the Government of Cuba,

Noting the particular finding of **human rights abuses in Cuba by the** Inter-American Commission on Human Rights of the Organization of American States in its 1983 report entitled The Situation of Human Rights in Cuba,

Recognizing the responsibility of Member States to **encourage** a path to **change** in Cuba that leads to concrete, real **and** lasting improvements in the **observance** of the human rights of **the Cuban** people,

1. Welcomes the recent release **and** permitted **emigration** from Cuba of a **large number** of political prisoners and hoping for the similar release of all **remaining** political prisoners in the near **future**;

7. Expresses its deep concern over specific and detailed allegations of grave violations of **human** rights in Cuba, including, among others:

(a) The arbitrary arrest and prolonged imprisonment of individuals **accused** of political opposition to the Government for engaging in such activities as the open or private expression of political opinions or **religious** beliefs, the attempt to form independent labour unions, **the possession**, reproduction or intended distribution of religious or political literature, **including** the Universal Declaration of **Human Rights** itself, or **even** the professional representation by legal **counsel** of those so **accused**;

(b) The murder of political prisoners while in custody or the execution of individuals sentenced to death for political offences;

/...

(c) The reported systematic use of physical and psychological torture and the degrading and abusive treatment of political prisoners, especially the plantados - those who refuse out of conscience to participate in so-called political rehabilitation programmes;

(d) The institutionalized use of a network of neighbourhood informants organized by political "block committees" or so-called "Committees for the Defence of the Revolution" to repress the exercise of any freedom of expression and otherwise control the behaviour of citizens through intimidation;

(e) The repression of the independent Committee for the Defence of Human Rights in Cuba for its attempt to register as a legal organization under the laws of the State, and the reported arrest, disappearance, or death of all of its members, with the exception of its President, who has had to seek the safety of a foreign embassy out of fear for his life and continues to be deprived of the right to leave Cuba to be reunited elsewhere with his family;

(f) The expulsion from Cuba of foreign journalists for having attempted to interview Cuban citizens and report objectively on the human rights situation in that country;

3. Appeals to the Government of Cuba to honour its obligation to respect and protect the human rights and fundamental freedoms of its people and, for that purpose, to establish the necessary democratic and legal institutions in conformity with the principles embodied in the Universal Declaration of Human Rights;

4. Further appeals to the Government of Cuba to extend its full co-operation to representatives of international organizations seeking to examine the human rights situation in Cuba;

5. Urgently calls upon the Commission on Human Rights to include among the highest priorities of the agenda for its forty-third session separate consideration of the question of human rights in Cuba, with the particular recommendation that it assure the preparation of a report for submission to the General Assembly;

6. Decides to review the question of human rights in Cuba at its forty-second session.

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