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Point 12 a) de l'ordre du jour

**INTÉGRATION DES DROITS FONDAMENTAUX DES FEMMES
ET DE L'APPROCHE SEXOSPÉCIFIQUE**

VIOLENCE CONTRE LES FEMMES

Note verbale datée du 28 avril 2000 adressée au Haut-Commissariat
aux droits de l'homme par la Mission permanente de Cuba
auprès de l'Office des Nations Unies à Genève

La Mission permanente de la République de Cuba auprès de l'Office des Nations Unies et des autres organisations internationales à Genève présente ses compliments à la Haut-Commissaire des Nations Unies aux droits de l'homme (secrétariat de la Commission des droits de l'homme), et a l'honneur de se référer aux commentaires que M. Bertrand Ramcharan, Haut-Commissaire adjoint aux droits de l'homme (publiés ultérieurement dans une note portant la cote E/CN.4/2000/151), a formulés sur les observations du Gouvernement cubain (E/CN.4/2000/131) portant sur le rapport de la Rapporteuse spéciale chargée de la question de la violence contre les femmes, y compris ses causes et ses conséquences, rendant compte de sa mission à Cuba.

La Mission permanente de la République de Cuba a l'honneur de transmettre ci-après les observations^{*} du Gouvernement cubain concernant la note susmentionnée du Secrétariat et prie ce dernier, conformément à la pratique établie, de bien vouloir les faire distribuer comme document officiel de la cinquante-sixième session de la Commission des droits de l'homme, au titre du point 12 a) de l'ordre du jour intitulé : Violence contre les femmes, point sous lequel a été publiée la note du Secrétariat.

^{*} L'annexe est reproduite telle quelle, dans la langue originale, ou en anglais seulement.

Annex

Comments by Cuba on the note by the Secretariat contained in document E/CN.4/2000/151 of the fifty-sixth session of the Commission on Human Rights under agenda item 12 (a), "Violence against women"

The Government of the Republic of Cuba is surprised at how quick the secretariat was to refer to document E/CN.4/2000/131, which contains the arguments and facts reported by Cuba in respect of the anomalies that occurred and manipulation by officials of the Office of the High Commissioner for Human Rights in relation to the report of the Special Rapporteur on violence against women on her visit to Cuba.

The haste with which the comments by the secretariat were issued and published show that no serious and exhaustive investigation was conducted into the matters raised by the Government of Cuba. The secretariat also did not promise to conduct an investigation in future, as would be warranted by the serious irregularities to which Cuba drew attention.

On the contrary, document E/CN.4/2000/151 does no more than make excuses, contains no facts or arguments, does not refer to the substance of the points Cuba made and does not say whether the facts Cuba referred to are true or not.

The secretariat should be concerned not about matters of form and procedure in relation to the information provided by Cuba on internal manipulation, but about transparency and the full observance by its staff of the principles of universality, objectivity and non-selectivity in the consideration of the human rights issues which were agreed on by the international community in the Declaration and Programme of Action of the World Conference on Human Rights held in Vienna in 1993 and which have been reiterated in United Nations General Assembly resolutions.

The Office should also be concerned about the full application of United Nations rules and regulations in relation to the role of its staff.

The legal advice to which the note by the secretariat refers may be valid within the secretariat, but it is not at all applicable to the Government of Cuba, which is not subject to such internal regulations and has the right to defend itself, seek and make the truth known and require compliance with the principles that should govern the conduct of special rapporteurs and Secretariat staff.

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