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COMMISSION ON HUMAN RIGHTS  
Fifty-first session  
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Cuba: draft resolution

1995/... Violation of human rights in the United States  
as a result of racism and racial discrimination  
persisting in United States society

The Commission on Human Rights,

Mindful of its duty to promote and encourage respect for human rights and  
fundamental freedoms for all and to prevent violations of such rights in any  
part of the world,

Guided by the principles embodied in the Charter of the United Nations,  
the Universal Declaration of Human Rights and the International Covenants on  
Human Rights,

Reaffirming the International Convention on the Elimination of all Forms  
of Racial Discrimination as well as the UNESCO Declaration on Race and Racial  
Prejudice,

Reaffirming also that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken pursuant to the various international instruments in that field,

Having considered the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on his visit to the United States of America (E/CN.4/1995/78/Add.1),

Deploring the continued violation in the United States, on racial grounds, of the human rights and fundamental freedoms of persons belonging to ethnic minorities, in particular African-Americans, Hispanics, Asians and indigenous people,

Concerned at the promotion and adoption in several states of the United States of America of discriminatory legislation and other initiatives directed, in particular, against migrant workers,

Noting also with concern the situation affecting ethnic minorities in the United States in areas such as health, employment, education, housing and political participation due to racism and racial discrimination, described in the Special Rapporteur's report,

Deeply concerned at arbitrary arrests, police brutality, beatings, discriminatory judicial practices, and the application of the death penalty on racist grounds in the United States,

Considering that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance could only visit four states of the United States of America, and the need to know how these phenomena affect the rights of people in other states of the Union,

Considering also that the Special Rapporteur could not visit the Indian reservations, as suggested to him by some non-governmental organizations, where there are problems that come within his mandate,

1. Takes note of the cooperation extended by the Government and people of the United States of America to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

2. Takes note with appreciation of the report submitted by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on his visit to the United States of America (E/CN.4/1995/78/Add.1) and endorses its conclusions and recommendations;

3. Encourages the Government of the United States of America to consider implementing the recommendations of the Special Rapporteur in order to eliminate racism and racial discrimination against ethnic minorities and indigenous people and put an end to all violations of human rights in that country;

4. Requests the Government of the United States to adopt effective measures to prevent racist and discriminatory propaganda and the upsurge of racist organizations;

5. Requests the Secretary-General to appoint a special representative to develop a dialogue with the Government of the United States and its citizens on violations of human rights as a consequence of the racism and racial discrimination prevailing in United States society and the means and ways to eliminate them;

6. Requests the special representative of the Secretary-General to carry out his or her mandate in close coordination with the Government, as well as non-governmental organizations and citizens of the United States;

7. Also requests the special representative to present a preliminary report on his or her activities and recommendations for the eradication of this situation in the United States of America, including measures adopted in this regard by that country, to the General Assembly at its fiftieth session and a comprehensive report to the Commission on Human Rights at its fifty-second session;

8. Decides to consider this question at its fifty-second session under the same agenda item.

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