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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 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. Calls upon the United States authorities to comply fully with their obligations under the international human rights instruments to which the United States of America is a party;

4. Encourages the United States of America to invite once again the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to visit the country in order to assess in situ the steps he may deem necessary for a resolution of these problems and to report, within the framework of his mandate, to the Commission on Human Rights at its fifty-second session;

5. Also calls upon the United States authorities to take all necessary measures:

(a) To ensure the enjoyment of all human rights and fundamental freedoms by all without distinction as to race;

(b) To prevent further human rights violations motivated by racism and racial discrimination;

(c) To guarantee the effective application of legislation against all forms of racism, racial discrimination, xenophobia and related intolerance;

(d) To adopt effective measures to prevent propaganda of a racist and discriminatory nature, as well as the upsurge of racist organizations;

6. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the United States authorities and to request them to indicate, as soon as possible, the action taken in pursuance of the present resolution;

(b) To report to the General Assembly at its fiftieth session and to the Commission on Human Rights at its fifty-second session on the basis of the information provided by the Government of the United States on the measures taken in pursuance of the present resolution;

(c) To take into consideration, in his reports to the General Assembly and the Commission on Human Rights, the views of non-governmental organizations concerned and United States citizens in the United States of America;

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

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