

Calendar No. 513

106TH CONGRESS
2^D SESSION

S. RES. 289

Expressing the sense of the Senate regarding the human rights situation
in Cuba.

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2000

Mr. TORRICELLI (for himself, Mr. HELMS, Mr. GRAHAM, Mr. MACK, and Mr. REID) submitted the following resolution; which was referred to the Committee on Foreign Relations

APRIL 13, 2000

Reported by Mr. HELMS, without amendment

RESOLUTION

Expressing the sense of the Senate regarding the human
rights situation in Cuba.

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas the United States Department of State 1999 Country Reports on Human Rights Practices, released on February 25, 2000, includes the following statements describing conditions in Cuba:

(1) “Cuba is a totalitarian state controlled by President Fidel Castro....President Castro exercises control over all aspects of Cuban life....The Communist Party is the only legal political entity....There are no contested elections....The judiciary is completely subordinate to the government and to the Communist Party....”.

(2) “The Ministry of Interior...investigates and actively suppresses opposition and dissent. It maintains a pervasive system of vigilance through undercover agents, informers, the rapid response brigades, and the Committees for the Defense of the Revolution (CDR’s)....”.

(3) “[The government] continued systematically to violate fundamental civil and political rights of its citizens. Citizens do not have the right to change their government peacefully....The authorities routinely continued to harass, threaten, arbitrarily arrest, detain, imprison, and defame human rights advocates and members of independent professional associations, including journalists, economists, doctors, and lawyers, often with the goal of coercing them into leaving the country....”.

(4) “The government denied citizens the freedoms of speech, press, assembly, and association....It limited the distribution of foreign publications and news to selected party faithful and maintained strict censorship of

news and information to the public. The government kept tight restrictions on freedom of movement, including foreign travel....”.

(5) “The government continued to subject those who disagreed with it to ‘acts of repudiation’. At government instigation, members of state-controlled mass organizations, fellow workers, or neighbors of intended victims are obliged to stage public protests against those who dissent with the government’s policies.... Those who refuse to participate in these actions face disciplinary action, including loss of employment....”.

(6) “Detainees and prisoners often are subjected to repeated, vigorous interrogations designed to coerce them into signing incriminating statements.... The government does not permit independent monitoring of prison conditions....”.

(7) “Arbitrary arrest and detention continued to be problems, and they remained the government’s most effective weapons to harass opponents.... [T]he Constitution states that all legally recognized civil liberties can be denied to anyone who actively opposes the ‘decision of the Cuban people to build socialism’. The authorities invoke this sweeping authority to deny due process to those detained on purported state security grounds....”.

(8) “The Penal Code includes the concept of ‘dangerousness’, defined as the ‘special proclivity of a person to commit crimes, demonstrated by his conduct in manifest contradiction of socialist norms’. If the police decide that a person exhibits signs of dangerousness, they may bring the offender before a court or subject him to ‘therapy’ or ‘political reeducation. . . .’ Often the sole evidence provided, particularly in political cases, is the defendant’s confession, usually obtained under duress. . . .”.

(9) “Human rights monitoring groups inside the country estimate the number of political prisoners at between 350 and 400 persons. . . . According to human rights monitoring groups inside the country, the number of political prisoners increased slightly during the year. . . .”.

(10) “The government does not allow criticism of the revolution or its leaders. . . . Charges of disseminating enemy propaganda (which includes merely expressing opinions at odds with those of the government) can bring sentences of up to 14 years. . . . Even the church-run publications are watched closely, denied access to mass printing equipment, and subject to governmental pressure. . . . All media must operate under party guidelines and reflect government views. . . .”.

(11) “The law punishes any unauthorized assembly of more than 3 persons, including those for private religious services in a private home.... The authorities have never approved a public meeting by a human rights group”.

(12) “The government kept tight restrictions on freedom of movement....[S]tate security officials have forbidden human rights advocates and independent journalists from traveling outside their home provinces, and the government also has sentenced others to internal exile”.

(13) “Citizens do not have the legal right to change their government or to advocate change, and the government has retaliated systematically against those who sought peaceful political change.... An opposition or independent candidate has never been allowed to run for national office....”.

(14) “The government does not recognize any domestic human rights groups, or permit them to function legally... the government refuses to consider applications for legal recognition submitted by human rights monitoring groups.... The government steadfastly has rejected international human rights monitoring”.

(15) “Workers can and have lost their jobs for their political beliefs, including their refusal to join the official

union....[T]he government requires foreign investors to contract workers through state employment agencies ...workers ...must meet certain political qualifications ...to ensure that the workers chosen deserve to work in a joint enterprise....[E]xploitative labor practices force foreign companies to pay the government as much as \$500 to \$600 per month for workers, while the workers in turn receive only a small peso wage from the government;” and

Whereas the Czech Republic and Poland will again introduce a resolution condemning human rights practices of the Government of Cuba at the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SENSE OF THE SENATE REGARDING THE**
 3 **HUMAN RIGHTS SITUATION IN CUBA.**

4 (a) SUPPORT FOR HUMAN RIGHTS RESOLUTION.—

5 The Senate hereby expresses its support for the decision
 6 of member states meeting at the 56th Session of the
 7 United Nations Human Rights Commission in Geneva,
 8 Switzerland, to consider a resolution introduced by the
 9 Czech Republic and Poland that, among other things, calls
 10 upon Cuba to respect “human rights and fundamental
 11 freedoms and to provide the appropriate framework to
 12 guarantee the rule of law through democratic institutions
 13 and the independence of the judicial system”.

1 (b) SENSE OF THE SENATE.—It is the sense of the
2 Senate that the United States should make every effort
3 necessary, including the engagement of high-level execu-
4 tive branch officials, to encourage cosponsorship of and
5 support for this resolution on Cuba by other governments.

6 (c) TRANSMITTAL OF RESOLUTION.—The Secretary
7 of the Senate shall transmit a copy of this resolution to
8 the Secretary of State with the request that a copy be
9 further transmitted to the chief of diplomatic mission in
10 Washington, D.C., of each member state represented on
11 the United Nations Human Rights Commission.

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