United nations commissioner for human rights
Situation of human rights in Cuba
Commission on Human Rights resolution 2001/16

The Commission on Human Rights,

Recalling its resolutions 1999/8 of 23 April 1999 and 2000/25 of 18 April 2000,

Reaffirming the obligation of all Member States to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and in the Universal Declaration of Human Rights,

Taking into account that no satisfactory improvements have been made thus far by the Government of Cuba in the field of human rights,

Mindful that Cuba is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reasserting its obligation to promote and protect human rights on the basis of the universal nature of the Universal Declaration of Human Rights, in all countries of the world, independently from other bilateral or regional issues affecting the country in question,

Stressing the need for a constructive and open dialogue on human rights between both the people and Government of Cuba and the international community as an essential precondition for emerging from the status quo towards a better future,

Convinced that there is a substantial link between political pluralism and good governance, on the one hand, and economic prosperity, on the other, because their common denominator is human freedom,

Recognizing that, in order to support human rights and economic well-being in Cuba, Member States should take steps to improve the economic condition of the Cuban people,

Recognizing also the need to respect and guarantee civil and political rights and to strive to bring about full enjoyment of economic, social and cultural rights,

Expressing its concern at the continued violation of human rights and fundamental freedoms in Cuba, such as freedom of expression, association and assembly and the rights associated with the administration of justice, despite the expectations raised by some positive steps taken by the Government of Cuba in the past few years,

1. Calls once again upon the Government of Cuba to ensure respect for human rights and fundamental freedoms and to provide the appropriate framework to guarantee the rule of law through democratic institutions and the independence of the judicial system;

2. Calls upon the Government of Cuba to honour the commitment to democracy and respect for human rights it made at the Sixth Ibero-American Summit, held in Santiago and Viña del Mar, Chile, in November 1996, a commitment reiterated at the Ninth Ibero-American Summit in Havana in November 1999 and an identical commitment, made at the first Summit between Heads of State or Government of Latin America and the Caribbean and the European Union, held
at Rio de Janeiro in June 1999, contained in the Rio Declaration adopted by the Summit;

3. Expresses the hope that further positive steps will be taken with regard to all human rights and fundamental freedoms;

4. Notes certain measures taken by Cuba to enhance freedom of religion and calls upon the Cuban authorities to continue taking appropriate measures in this regard;

5. Calls upon the Government of Cuba to consider acceding to human rights instruments to which it is not yet a party, in particular the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights;

6. Expresses once again its concern about practical consequences of the adoption of the Law for the Protection of the National Independence and Economy of Cuba, and regrets the other steps taken by the Government of Cuba that are inconsistent with the Universal Declaration of Human Rights and other relevant human rights instruments;

7. Takes note of the conditional release of three members of the Grupo de Trabajo de la Disidencia Interna;

8. Stresses, however, its deep concern about the continued repression of members of the political opposition and about the detention of dissidents and all other persons detained or imprisoned for peacefully expressing their political, religious and social views and for exercising their right to full and equal participation in public affairs, and calls upon the Government of Cuba to release all those persons;

9. Calls upon the Government of Cuba to open a dialogue with the political opposition, as already requested by several groups;

10. Invites the Government of Cuba to afford the country full and open contact with other countries, in order to ensure the enjoyment of all human rights for all Cuban people by utilizing international cooperation, by allowing a freer flow of people and ideas and by drawing on the experience and support of other nations;

11. Recommends, in this context, that the Government of Cuba take advantage of the technical cooperation programmes of the Office of the United Nations High Commissioner for Human Rights;

12. Calls upon the Government of Cuba also to cooperate with other mechanisms of the Commission;

13. Also calls upon the Government of Cuba to grant invitations to thematic mechanisms of the Commission on Human Rights to visit Cuba, including the Special Rapporteur on the promotion and protection of the freedom of opinion and expression and the Special Rapporteur on the question of torture;

14. Decides to consider this matter further at its fifty-eighth session under the same agenda item.

63rd meeting
18 April 2001
[Adopted by a roll-call vote of 22 votes to 20, with 10 abstentions.]