



General Assembly

Distr.
GENERAL

A/HRC/5/G/8
14 June 2007

ENGLISH
Original: SPANISH

HUMAN RIGHTS COUNCIL
Fifth session
Item 2 of the agenda

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”

Note verbale dated 11 June 2007 from the Permanent Mission of Cuba to the United Nations Office at Geneva addressed to the Human Rights Council secretariat*

The Permanent Mission of Cuba to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and to the Human Rights Council secretariat, and has the honour to transmit herewith the English, French and Spanish versions of the document entitled “Cuba and human rights”.

In this regard, the Permanent Mission of Cuba requests that the aforementioned document be issued as an official document of the fifth session of the Human Rights Council. At the same time, the Permanent Mission of Cuba would be grateful if the document could be circulated to all the special procedures of the Council and made available to interested parties on the website established for the Council’s fifth session.

* Since the length of the document (over 380 pages) considerably exceeds the established limit, the annex provided by the Permanent Mission of Cuba could not be reproduced in the present document. However, the document is available in the Human Rights Council secretariat in the languages in which it was submitted (English, French and Spanish). The annex to the present document contains the table of contents of the aforementioned document.

Annex**CONTENTS**

	<i>Page</i>
Introduction	6
CHAPTER 1: THE HOSTILITY AND AGGRESSIONS AGAINST CUBA BY THE GOVERNMENT OF THE UNITED STATES HAS REACHED UNPRECEDENTED DIMENSIONS	10
The United States Interests Section in Cuba: command post of the counterrevolution	12
The Bush Plan to Annex Cuba: Part Two is Presented	14
Intense activity of Cuban proconsul Caleb McCarry	16
OFAC is a gendarme for the implementation of policies of sanctions and restrictions against Cuba	19
– OFAC involved in the Maria Isabel Sheraton Hotel incident	20
– Traveling to Cuba is considered a crime	21
Recent piracy cases protected by anti-Cuban policies: the theft of commercial trademarks	22
The hatred of the U.S. imperialists against the Cuban people is constant in declarations from Washington	23
– Declarations of President Bush and other members of the executive	23
– Aggressive Statements by Members of the US Congress	24
Efforts to isolate Cuba in international organizations	25
Ample funding to satisfy the appetites of salaried mercenaries at the service of the anti-Cuban policy of the United States	27
Anti-Cuban funding also flowed across the Atlantic	29
The reinforcement of radio-electronic and media aggression against the Cuban Revolution	30
United States deepens the manipulation of the issue of migration between the two countries	31
Not even baseball escapes the United States' war against Cuba	37
The terrorist, anti-Cuban mafia consolidated its influence in the current administration	38

CONTENTS (*continued*)

	<i>Page</i>
Washington is worried about the awakening of forces of unity and integration in Latin America	40
Does Cuba constitute a threat to the United States? The reality indicates exactly the opposite	41
CHAPTER 2: A NEW IMPERIALIST PROGRAM FOR SUBJUGATING THE CUBAN NATION AND RECOLONISING THE COUNTRY	44
The implementation of the aforementioned tasks - that assume the strengthening of the blockade, plus subversion and media political-diplomatic campaigns against Cuba - brought about	45
CHAPTER 3. THE SUPPORT AND/OR IMPUNITY EXTENDED BY SUCCESSIVE U.S. ADMINISTRATIONS TO PERPETRATORS OF TERRORIST ACTS AGAINST CUBA	53
The Posada Carriles case: Chronicle of an announced impunity	60
– An obvious case of illegality and double standards	63
– Summary of the terrorist career of the Cuban-born criminal Luís Faustino Clemente Posada Carriles	65
CHAPTER 4: THE HUMAN RIGHTS OF FIVE YOUNG CUBAN ANTI-TERRORIST FIGHTERS, WRONGLY IMPRISONED IN THE UNITED STATES, AND THOSE OF THEIR FAMILIES, ARE GROSSLY VIOLATED FOR SPURIOUS POLITICAL MOTIVATIONS	69
Overview of the case	70
The Appeal	71
An unusual en banc decision by the Atlanta Court of Appeal	76
Facts which show that the trial of the five young Cubans, anti-terrorist fighters and defenders of their people's human rights, was rigged and manipulated for political reasons	79
Visas denial to Adriana Pérez and Olga Salanueva, wives of Gerardo Hernández Nordelo and René González, respectively	89
Interviews of some of the relatives of the Cuban Five in the Commission on Human Rights	93
A proven truth	95
CONCLUSIONS	97
Annex to the Chapter	98

CONTENTS (*continued*)

	<i>Page</i>
CHAPTER 5: THE UNITED STATES STEPS UP THE RECRUITMENT, FINANCING AND USE OF MERCENARIES IN ITS ATTEMPTS TO UNDERMINE THE RIGHT OF SELF-DETERMINATION OF THE CUBAN PEOPLE	100
The case of the mercenaries tried and sanctioned for actions against the independence and territorial integrity of the Cuban State	106
Medical care provided to the mercenaries in prison. The truth about some of the cases used by the anti-Cuban media campaign	113
The benefit of Conditional Releases	115
CHAPTER 6: ANTI-CUBAN MANOEUVRES IN THE HUMAN RIGHTS SPHERE: INVENTING A SPURIOUS PRETEXT TO JUSTIFY THE PERPETUATION OF THE UNITED STATES' POLICY OF HOSTILITY, BLOCKADE AND AGGRESSION TOWARDS THE CUBAN PEOPLE	118
58th period of sessions of the CHR (2002)	120
59th period of sessions of the CHR (2003)	121
60th period of sessions of the CHR (2004)	125
61st period of sessions of the CHR (2005)	138
Last period of sessions of the CHR (2006)	147
The work of the defunct Commission on Human Rights was encumbered by political manipulation and the application of double standards	149
The creation of the Human Rights Council. Cuba is elected a founding member	152
Anti-Cuban maneuvers in the human rights field pursued by the United States at the new Council: perspectives	155
CHAPTER 7: DESPITE THE UNJUST ANTI-CUBAN EXERCISE IMPOSED BY THE UNITED STATES, CUBA CONTINUES TO HONOR ITS COMMITMENT TO COOPERATE WITH ALL NON-DISCRIMINATORY HUMAN RIGHTS MECHANISMS	159
CHAPTER 8: THE DEMOCRATIC SYSTEM ESTABLISHED BY THE CUBAN PEOPLE, EXERCISING THEIR SOVEREIGNTY	168
The Cuban political and electoral system	168
Why is there only one political party in Cuba?	176
Cuban Civil Society	179

CONTENTS (*continued*)

	<i>Page</i>
Exercising the right to unionize	184
The electronic and print media	186
The right to petition and the defense of human rights whenever they are being violated	190
 CHAPTER 9: THE LEGAL GUARANTEES FOR CIVIL AND POLITICAL RIGHTS UNDER CUBAN NATIONAL LEGISLATION	 193
General Assumptions:	193
The bourgeois concept of human rights gives privileges to civil and political rights, to the detriment of economic, social and cultural rights	195
Human rights cannot be promoted and protected by maximizing a merely individualistic approach	195
Western industrialized powers manipulate human rights with the goal of domination and they attempt to impose their ideology	196
“Human rights in the Cuban constitutional tradition”	196
“Civil and political human rights in Cuban legislation”	199
As a conclusion to the comparative analysis we have undertaken, some ideas may be identified:	235
 CHAPTER 10: TURNING PRISONS INTO TRUE EDUCATION AND HUMAN IMPROVEMENT CENTERS	 237
Changes in the correctional system inherited in 1959	237
Legal and juridical foundation underpinning the transformations in Cuba’s current correctional system	240
Elements of interest about the Cuban correctional system	241
Correctional treatment	241
Severity regimes in the treatment of convicts	245
Health Services	245
Rehabilitation in the correctional system	246
Improving the Cuban Correctional System	247
Task 500: Emergence, development and results	247
A necessary comparison	251
CONCLUSIONS	254

- - - - -