



# General Assembly

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## Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

### Summary record of the 6th meeting

Held at Headquarters, New York, on Monday, 18 June 2012, at 10 a.m.

*Chair:* Mr. Morejón . . . . . (Ecuador)

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*The meeting was called to order at 10.20 a.m.*

### **Adoption of the agenda**

1. *The agenda was adopted.*

### **Special Committee decision of 20 June 2011 concerning Puerto Rico (A/AC.109/2012/L.7)**

*Draft resolution A/AC.109/2012/L.7: Special Committee decision of 20 June 2011 concerning Puerto Rico*

2. **Mr. León González** (Cuba), introducing draft resolution A/AC.109/2012/L.7 on behalf of the sponsors, said that, although the Special Committee had already adopted 30 resolutions and decisions on the question of Puerto Rico, little progress had been made towards a definitive solution to that colonial situation. The draft resolution again stressed the urgent need for the United States Government to lay the groundwork for the Puerto Rican people to exercise fully their inalienable right to self-determination. It also called on the President of the United States to release the three Puerto Rican political prisoners serving sentences in United States prisons and requested the General Assembly to consider the question of Puerto Rico comprehensively in all its aspects. The delegations sponsoring the draft resolution, as well as the various Puerto Rican political forces, considered that such a review by the General Assembly was now more urgent than ever before.

#### *Hearing of petitioners*

3. **The Chair** said that 31 requests for hearing were contained in addendum 1 to aide-memoire 04/12. He took it that the Committee agreed to accede to those requests.

4. *It was so decided.*

5. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take places at the petitioners' table and would withdraw after making their statements.

6. **Mr. Toledo Martínez** (Colegio de Abogados de Puerto Rico) said that the United States refused to recognize the application of General Assembly resolution 1514 (XV) to the colonial situation of Puerto Rico, despite the many resolutions adopted by the Special Committee on that subject. The Puerto Rican people could not exercise its right to free determination as its sovereignty was not recognized and it was forced

to act through the legal system imposed on it by the administering Power. The United States continued to arrest and imprison Puerto Rican independence fighters, such as Óscar López Rivera, Norberto González Claudio and Avelino González Claudio; to impose the death penalty in federal cases even though it was prohibited by the Constitution of Puerto Rico; to ignore the territorial integrity of Puerto Rico by expropriating land for military purposes; to usurp legal ownership of natural resources and cultural assets; to exploit, contaminate and destroy Puerto Rican territory; and to refuse to clean up the bombing ranges in Vieques and Culebra.

7. The local economy had been destroyed as Puerto Rico had become a captive market for United States companies, while federal aid for low-income families had promoted a relationship of dependence. All the institutions that defended Puerto Rican culture and values had come under attack and the annexationist Puerto Rican Government had recently announced that all subjects would be taught in the English language in the public school system.

8. The legal framework provided by General Assembly resolution 1514 (XV) and the support of the United Nations, in particular the Special Committee, was the only way for Puerto Rico to achieve the true exercise of the right to self-determination. A constitutional assembly on status should be convened to negotiate the political relationship with the United States, following a campaign to educate Puerto Ricans about the options recognized under international law.

9. **Mr. López Sierra** (Compañeros Unidos para la Descolonización de Puerto Rico) said that colonialism was incompatible with the democracy and the concepts of equality and justice for all. Yet the United States continued to use terrorism to maintain its control of Puerto Rico, as demonstrated by the 2005 assassination of Filiberto Ojeda Ríos and the imprisonment of Oscar López Rivera for over 31 years.

10. Successive United States Presidents had claimed that they would support any decision made by the people of Puerto Rico, but decolonization could not take place through the laws of a State that had no motivation to support it. Puerto Rico had to be reinstated in the list of Non-Self-Governing Territories and its residents had to be given the opportunity to discuss the issue without any outside interference. Unfortunately, participation in United States elections

and referendums only supported the cause of colonialism. The United Nations had to find mechanisms to enforce its resolutions and put an end to the injustices that continued to threaten world peace.

11. **Mr. Hernández González** (Comité Puerto Rico en las Naciones Unidas (COPRONU)) said that the United States had made false claims to persuade the General Assembly to remove Puerto Rico from the list of Non-Self-Governing Territories by adopting resolution 748 (VII) in 1953. That decision should therefore be considered flawed and null ab initio. The General Assembly should address the issue of the decolonization of Puerto Rico in the context of international law and resolution 1514 (XV). The status referendums held in Puerto Rico had not led to any change in the political situation and, as they had been held within the colonial framework and under the influence of the imperial power, they had violated international law.

12. Just under half of the 8 million Puerto Rican nationals lived in the Territory. A process of neo-colonialist industrialization had given a false appearance of economic progress, while Puerto Rico's entire economic foundation of industry, agriculture and fishing had been destroyed. The United States military had used Puerto Rican land for its firing practice and military bases. The military had withdrawn from Vieques and Ceiba after decades of protests, but had not yet decontaminated the soil of Vieques and Ceiba and had not returned the land to its former residents.

13. Many Puerto Ricans had dedicated their lives to the struggle for freedom, including Oscar López Rivera, who had been imprisoned for 31 years. In the context of the Third International Decade for the Eradication of Colonialism, urgent attention should be given to the situation of Puerto Rico and he respectfully requested that the question of Puerto Rico should be brought before the General Assembly.

14. **Mr. Pesquera Sevillano** (Movimiento Independentista Nacional Hostosiano) said that the annexationist Government had announced a project to Americanize the public education system, beginning in August 2012, by teaching all subjects, with the exception of Spanish, in the English language. The policy had little to do with educational benefit but was intended to establish English as the main language of Puerto Rico within 10 years. It was a clear violation of

the cultural and national rights of Puerto Ricans, 96 per cent of whom communicated in the Spanish language.

15. The Puerto Rican legal system and police were under the control of the United States Government, and the judges of the United States District Court of Puerto Rico were increasingly exercising jurisdiction over strictly local matters. The death penalty had been imposed, despite its prohibition in the Constitution, and the Police Superintendent was a Federal Bureau of Investigation (FBI) agent loyal to Washington who saw every supporter of independence as a criminal. Oscar López Rivera, the longest-serving political prisoner, had never committed any violent act but had been in prison for 31 years for alleged crimes related to the struggle for Puerto Rican independence.

16. The United States Government should assume its responsibility and recognize the damage caused to Puerto Rican agriculture, economy, environment and natural resources, as well as to the health of the residents of Vieques and to the people's natural right to live as a Caribbean and Latin American people. Under international law, the United States should recognize Puerto Rico's right to be compensated for the damage caused by the military invasion of the island.

17. The Puerto Rican status referendum was fraudulent, as it sought to legitimize annexation as a decolonization option. An independent and sovereign people could choose to associate with another State while reserving the right to separate or dissolve that association, but the United States Constitution expressly prohibited secession. Referendums in any case always created divisions and the only way to achieve a true majority would be to advance the decolonization process through a constitutional assembly on status.

18. He welcomed the Special Communiqué adopted by the Heads of State of member countries of the Bolivarian Alliance for the Peoples of Our America — Peoples' Trade Agreement, including their statement that the question of Puerto Rico should be considered by the Community of Latin American and Caribbean States. Argentina would not be complete without the Malvinas Islands and Latin America would not be complete without Puerto Rico.

19. **Mr. Román Espada** (Coalición Puertorriqueña contra la Pena de Muerte) said that the issue of the death penalty should be considered by the Special Committee and included in the draft resolution under

consideration, as it was vital to the question of self-determination. Puerto Rico had abolished the death penalty in 1929 and had confirmed that abolition in its 1952 Constitution; nevertheless, the island remained subject to United States legislation, which imposed the practice under United States federal legislation.

20. The United States Government required that certain crimes be referred to the federal authorities, which meant that the Government of Puerto Rico was unable to refuse to extradite a Puerto Rican accused of those crimes, despite the fact that many sovereign States did not yield jurisdiction in such cases. Under such circumstances, it could not be said that Puerto Ricans enjoyed the right to self-determination.

21. He requested the Special Committee to refer in its resolution to the fact that Puerto Rico was the only jurisdiction in the world in which the death penalty had been abolished by the people but then imposed by United States legislation. The text should also include the demand that the United States Government immediately stop application of the death penalty in Puerto Rico. The question of Puerto Rico should be referred to the General Assembly for discussion.

22. **Mr. Mangual Cruz** (Fundación Andrés Figueroa Cordero) said that the two stages of genocide had been defined as the destruction of the national pattern of the oppressed group and the imposition of the national pattern of the oppressor. The United States was one of the 130 Contracting Parties to the Convention on the Prevention and Punishment of the Crime of Genocide. Its history books referred to acts of genocide committed in many countries, but there was no reference to the Americas. However, in the 1940s and 1950s, the United States Government had prevented the birth of children in Puerto Rico by sterilizing 35 per cent of the female population of child-bearing age and 11 per cent of the male population.

23. United States citizenship had been imposed on Puerto Ricans as a strategy of colonization and over half of Puerto Rican nationals lived outside the Territory. United States recruiters sought Puerto Rican graduates with skills in the sciences, technology, engineering and accounting, as they were bilingual and did not require visas or work permits for the United States.

24. Puerto Rico had been used as a testing ground for the United States military. A map of formerly used defence sites indicated 61 areas that had been

contaminated by chemical weapons. Further contamination had been caused by nuclear weapons and a radar facility. Puerto Ricans had demonstrated their opposition to the annexation and their wish to remain Puerto Rican. It was time to decolonize Puerto Rico and allow them to choose their own destiny.

25. **Mr. Ramos Rosado** (ProLibertad Freedom Campaign) said that the detention of the Puerto Rican political prisoners was an international human rights violation and an act of repression against the Puerto Rican independence struggle. Oscar López Rivera had served 31 years in prison without parole, in violation of the Parole Commission's own rules. Avelino González Claudio had been held in custody without trial for four years, including long periods of solitary confinement, and had been denied treatment for Parkinson's Disease, which had exacerbated his condition. Norberto González Claudio had been kept in solitary confinement unnecessarily and his right to privacy had been violated, as his conversations with family members and legal counsel had been recorded.

26. All the Puerto Rican political prisoners had been involved in the struggles for civil rights. None had prior criminal records, nor had they been charged with any violent acts, yet they received excessively long sentences because of their political beliefs. In prison, they had been model prisoners. Yet they had been subjected to torture, denied medical treatment, placed in solitary confinement for unhealthy periods and had been denied visitation by family and legal counsel, in direct violation of international norms. They were not terrorists, but freedom fighters, and many voices had called for their freedom. The United Nations should take immediate action to end the colonial occupation of Puerto Rico, meet the demands of the people of Vieques and Culebra, and urge the unconditional release of all the remaining Puerto Rican political prisoners whose only crime was their struggle for freedom.

27. **Mr. Guadalupe Ortiz** (Movimiento de Afirmación Viequense) said that the colonization of Puerto Rico had led to constant violations of the human rights of the residents of Puerto Rico and those of the island of Vieques in particular. Political subordination to a foreign Government that did not even speak the same language was a barrier to Puerto Rico's economic and social development. Yet the United States Government absolved itself of responsibility for the damage caused by its military occupation.

28. The main effect of the 60 years of military presence in Vieques had been a general deterioration in the health of the people of Vieques, with higher rates of cancer and other illnesses, in addition to environmental degradation and a stagnating economy. The Puerto Rican people had no representation in the United States Congress and had not nominated or confirmed the judges who took decisions on the obligations and responsibilities of the Puerto Rican Government. Yet the United States Congress had prohibited the use of federal funds for decontamination of the island of Culebra. It had also determined that the areas of Vieques previously occupied by the military would remain as a nature reserve, in order to avoid excessive expenditure on decontamination. Meanwhile, the residents of Vieques were being arrested for entering their own lands.

29. Federal judges defended United States interests in opposition to those of the residents of Puerto Rico. In a recent federal case, the United States Navy had refused, on the grounds of sovereign immunity, to provide a list of the contaminants used in Vieques. Federal agencies had also taken decisions that merely absolved the United States of responsibility. The Agency for Toxic Substances and Disease Registry, which was responsible for deciding on the extent of clean-up efforts required in Vieques and Culebra, had found that there was no relation between the high disease rates in Vieques and the contaminants used there. It had ignored many indicators, including the high infant mortality rate and the concentrations of heavy metals that left agricultural products unfit for human consumption.

30. The United States refused to conduct proper clean-up in Culebra and Vieques and refused to return the lands to their owners or to compensate them for the damage. He therefore requested that the Special Committee should refer the question of Puerto Rico to the General Assembly under resolution 1514 (XV).

31. **Ms. Ceneno Rodriguez** (American Association of Jurists) said that General Assembly resolution 1514 (XV) provided the legal basis for the process of achieving self-determination and independence, whereas resolution 1541 (XV) merely contained guidelines intended to absolve the administering Power from its responsibility to transmit information on a Non-Self-Governing Territory. Such guidelines could not take priority over article 73 *e* of the Charter of the United Nations.

32. Free association required respect for the culture of a Territory and the establishment of a constitution through democratic processes. However the United States had not renounced its prerogative to amend the Constitution and was imposing English as the language of education. Integration required the establishment of free political institutions, but a population that was distinct in its culture, race and religion could not be integrated without giving up its identity.

33. In the case of a Non-Self-Governing Territory, the administering Powers was obliged to take responsibility for the Territory and to act as a trustee rather than as an absolute owner. However, the United States had imposed an executive, legislative and judicial system that was an impediment to free political institutions. It had also hindered economic development that would benefit the residents of Puerto Rico. Such economic exploitation was contrary to the Charter of the United Nations and the Universal Declaration of Human Rights.

34. Opinions of the International Court of Justice, together with General Assembly resolutions 1514 (XV) and 2145 (XXI), the 30 resolutions and decisions of the Special Committee, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, had all affirmed the right to free determination of peoples. The United States had ratified the International Covenant on Civil and Political Rights and was also bound to comply with the Charter and with resolution 1514 (XV), as it had not voted against that resolution.

35. The status referendums were not binding for the administering Power. They failed to educate the voters on the choices offered and only served to perpetuate the colonial situation. A status referendum could only be valid if there was a decolonization mechanism based on international law and an informed electorate that could express itself freely and voluntarily. The Association continued to denounce the persecution of those who defended the ideal of independence and the continued detention of Puerto Rican political prisoners. The Association requested that the question of Puerto Rico be referred to the General Assembly.

36. **Ms. Susler** (National Lawyers Guild) said that a 2011 report of the United States President's Task Force on Puerto Rico's Status had recommended that a plebiscite should be held, although the United States Congress still refused to acknowledge that Puerto

Rico's colonial status was illegal under international law. The legitimacy of the plebiscite was therefore widely questioned as its non-binding result would not resolve the status issue. While the United States styled itself as Puerto Rico's rescuer and regulated all aspects of social and economic life and juridical affairs in the Territory, a 2011 report of the Department of Justice had noted a profound and long-standing pattern of civil rights violations and other illegal practices by the Puerto Rico police, including the systematic use of excessive force to suppress constitutional rights to expression and assembly. Such harsh criticism of the police was hypocritical, given the close ties between the colonial and metropolitan law enforcement agencies.

37. It was an honour to speak in the presence of Mr. Carlos Alberto Torres, who had been released in 2010 after serving 30 years in prison in the United States for his commitment to the independence of Puerto Rico. Nonetheless, a number of his companions remained in detention, despite the fact that the United States used the release of political prisoners to measure other countries' compliance with human rights norms. As the Department of State had advocated the release of all political prisoners everywhere, the Government should have no difficulty in complying with the Committee's resolutions calling for the release of Puerto Rican pro-independence activists in United States custody. Her organization called for the immediate release of political prisoners and supported a constitutional assembly as the true expression of the aspirations of the Puerto Rican people.

38. **Mr. Rivera** (Puertorriqueños Unidos en Acción) said that the annexationist movement was once again attempting to erase Puerto Rico's unique national identity by Americanizing its people — a policy wrongly assumed to be a move towards Statehood, despite that policy's total failure under military governments. The Committee and the international community should not make the mistake of believing that multi-ethnicity in the United States could pave the way to multinationalism.

39. While the non-binding referendum called by the colonial government allowed foreigners with at least one year's residence in Puerto Rico to vote, it excluded the large Puerto Rican diaspora. The denial of Puerto Ricans' right to self-determination on the basis of their place of residence detracted from the seriousness of the plebiscite process, even as world history offered many

instances of a country's diaspora participating in national processes.

40. The diaspora had included many political prisoners in the past and there were currently three Puerto Rican political prisoners in the United States, imprisoned for their fight for decolonization. The only pragmatic solution to the question of Puerto Rico was to bring its case before the General Assembly. The solutions offered by the United States were merely intended to thwart the work of the Special Committee and to mislead international public opinion about its colonial rule over the Puerto Ricans, who had been coerced into submitting to colonialism by consent. For Puerto Rico to attain true national sovereignty through a process of self-determination, its political prisoners must be freed and the lands occupied and contaminated by the United States military must be returned to the rightful owners in Vieques and Culebra. It was incumbent on the Government of the United States to do so for the full and effective exercise of democracy. Colonization had divided Puerto Rico; decolonization would unify it.

41. **Mr. Delgado Rodriguez** (Alianza pro Libre Asociación Soberana) said that the referendum, albeit imperfect, would give Puerto Rico its first opportunity in 114 years to act on its desire to be free from its colonial ties with the United States; and for its people to pronounce themselves in favour of a relationship with the metropolitan United States based on United Nations resolution 1541 (XV). The Committee and the wider international community should support Puerto Rico in its move towards sovereign statehood, without any attempts to impose external strategies, and accept whatever path was chosen in compliance with existing legal norms.

42. Puerto Rico was duty-bound to consider closely the decolonization alternatives devised by the United Nations outlined in Resolution 1541 (XV). The latest opinion polls had shown that 45 per cent of the public favoured free association, an option that would enable Puerto Rico to gradually emerge from its long-imposed economic, political and psychological dependence on the United States. A sovereign relationship with the United States would allow both its cultural identity and quality of life to remain intact, and Puerto Rican processes to be empowered, in a climate of trust and optimism.

43. A clear “no” to the existing colonial and territorial relationship would put an end to the myth of the legitimacy of the status quo. Those who resisted change were refusing to accept that Puerto Rico was, in reality, a colony and that the people longed to join the community of nations and benefit from political sovereignty, while maintaining friendly relations with the United States and citizenship of both.

44. His organization respectfully requested the United Nations, as the promoter of self-determination, to support Puerto Ricans in the building of their political future, with an end to colonial control and the recognition of their right to maintain a close relationship with the United States. In conclusion, he called on the United States federal authorities to release the political prisoner Oscar López Rivera as a humanitarian gesture.

45. **Ms. Grady Flores** (Ithaca Catholic Workers, Vieques Support Group) said that the liberation of Puerto Rico depended ultimately on its people, who had put their lives on the line for their independence. The Committee’s contribution would be in the strength of its language. It should therefore condemn, in the strongest possible terms, the illegal actions committed by the colonial power of the United States, particularly the war crime of using nuclear weapons, and demand compensation for the people of Vieques in light of the rising incidence of illness caused by 60 years of exposure to toxic and radioactive substances. The federal Government had done little to address the well-documented social, economic and public health issues prevalent in the islands.

46. The Committee should condemn the lack of action of the United States in response to the four demands of the people of Vieques: de-militarization, de-contamination, devolution and development. The authorities should remove all unexploded ordnances and all hazardous materials, return the land to its rightful owners and include the people of Vieques in planning and development while imposing a moratorium on the sale of land to developers.

47. **Mr. Segarra** (Partido Nacionalista de Puerto Rico) said that the exploitation of Puerto Rico over its 114 years as a United States colony would increase further with the new radar system constructed for the Department of Defence, the continuing unlawful storage of military weapons at a military base, and plans for increased economic exploitation, including 35

energy projects to sell electricity to other Caribbean countries. The energy initiative, funded by public-private partnerships and backed by the World Bank, was another direct attack on Puerto Rico’s agricultural land, threatening its food sustainability and leaving it vulnerable to food shortages. Twenty-three foreign companies had been awarded contracts for mining operations, without consulting the Puerto Rican people, which also deprived Puerto Ricans of water and food sources owing to contamination and diminishing agricultural capacity, increased unemployment and displacement. Some 500,000 persons had already been forced to emigrate. The public debt of Puerto Rico placed it in a state of unprecedented helplessness and poverty. It aggravated colonial plundering by opening the doors for foreign mining interests to hold Puerto Rico hostage.

48. The aim of a constituent assembly was to form a sovereign State, which was not the goal of the proposed constitutional assembly on status. Colonialism in Latin America could only be ended through a decolonization process that was protected under international law. In conclusion, his organization expressed its solidarity with all political prisoners around the world, especially the Puerto Rican political prisoners and the five Cuban anti-terrorism fighters.

49. **Mr. Dalmau Ramírez** (Partido Independentista Puertorriqueño) said that the draft resolution retained the fundamental elements of previous resolutions and also included strong statements in support of Puerto Rico’s independence made by the States members of the Bolivarian Alliance for the Peoples of Our America — People’s Trade Agreement and a number of other regional and international organizations. Unfortunately, the Government of the United States had not yet taken any steps towards decolonization. Puerto Rican independence activists therefore had two essential tasks: to use the limited resources available to support the decolonization by putting pressure on the recalcitrant United States Government to face its responsibilities; and to increase international pressure through the concerted action of Latin American and Caribbean countries in expressing unconditional solidarity and calling for the decolonization of Puerto Rico before the General Assembly and the United States Government.

50. Such a continental project should transcend ideological boundaries, as in the case of the Panama Canal and the current trend in the case of the Malvinas Islands. The decolonization claims voiced in Puerto

Rico would contribute significantly to that convergence of wills in Latin America and the Caribbean. The launch of the Community of Latin American and Caribbean States, whose very composition affirmed the political identity of a region, would surely be the appropriate forum to complete, through Puerto Rico, the unfinished chapter of the Bolivarian dream, as expressed in Bolívar's Letter from Jamaica. The unanimity reached in the Committee surely presaged what would occur in the General Assembly.

51. **Mr. Torres** (Futuro sin Falla) said that he had spent half of his life in prison, detained by the United States Government from 1980 to 2010 on account of his commitment to the independence of his country, and his demands for Puerto Ricans' rights under international law. His participation in the current meeting had been made possible by the Committee's calls for international law to be applied to Puerto Rico and for the release of political prisoners. Those efforts should continue, as Puerto Rico was still a colony and three men who had dedicated their lives to its independence remained incarcerated. Of the three, Oscar López Rivera had spent 31 years in prison, more than any other prisoner during the 114 years of United States colonial rule.

52. The United States, which claimed to be a democratic State, often demanded that other States release their political prisoners as a sign of respect for democracy and human rights. Yet it denied holding political prisoners in its own jails and would have the world believe that he and his fellow independence activists were common criminals, sentenced after due process not for their principles, but for their alleged criminal conduct. That claim had been proven false by the treatment of activists in court and in prison.

53. Charges of seditious conspiracy had been used to criminalize the independence movement, although, as recognized by the United Nations and the Special Committee, colonialism, and not efforts to resist it, was the real crime. The purported due process had not respected international law and the American courts had not been impartial. He and his comrades had been sentenced to disproportionately severe prison terms ranging from 35 to 90 years and had been subjected to cruel and punitive treatment. Oscar López Rivera had been kept in a super-maximum-security prison for more than 12 years, with periods of total isolation and sensory deprivation.

54. In 1999, the sentences of most political prisoners had been commuted by the President of the United States, and his released comrades had received a warm reception from Puerto Ricans and had gone on to lead productive lives as respected and responsible citizens, while still participating in the independence movement. He had received that same welcome on his release and Puerto Rican civil society longed to do the same for the other political prisoners, including Oscar López Rivera, who had refused the pardon in a noble gesture of solidarity. The people of Puerto Rico looked forward to joining the family of the United Nations as a free nation responsible for its own destiny.

55. **Mr. Velgara** (Frente Socialista de Puerto Rico) said that his organization had come once again to demand the recognition of Puerto Rico's right to self-determination and independence and to ask the Committee to denounce the colonial regime and call on the United States to recognize those rights. The imperial abuses committed by the United States, the self-proclaimed champion of human rights, included the drug-related killings of over 1,000 young Puerto Ricans in 2011. As in drug-afflicted communities throughout the United States, illegal substances could be obtained at any time of day and the market was controlled by paramilitary gangs. Yet Puerto Rico did not have a single arms or ammunitions factory or any drug processing plants, and had no control over its borders, which were patrolled by federal agencies. Such a high inflow of illegal weapons and drugs was only possible with the knowledge and backing of the very agencies supposed to control them.

56. At the same time, Puerto Rico was being used as a laboratory for genetically modified plants and seeds that were entirely unsuited to Puerto Rico's tropical climate. As in the case of past experiments with viral infections, contraceptive pills and sterilization, Agent Orange, depleted uranium weapons and irradiation, Puerto Ricans would pay the cost in terms of any impact on human health or the environment. The combination of the illegal drug trade, agricultural experiments and the complete control of production capacities amounted to a policy of genocide.

57. The United States federal authorities continued to criminalize the struggle for independence and had established a special FBI unit to track down and arrest armed independence fighters, who were labelled "domestic terrorists". In its response to the drug trafficking epidemic, the United States had appointed as

police chief an FBI agent with known ties to right-wing Latin American paramilitary groups.

58. In conclusion, he referred to the recent attempts to impose English as the official language of the Territory. Puerto Rico would continue to defend its national identity and culture, as it had done during the past 114 years of United States rule.

59. **Mr. Fein** (Socialist Workers Party) said that, like the many thousands of Black and Latin American young people arbitrarily stopped and searched by the New York Police Department every year, the people of Puerto Rico were no stranger to the repression that sought to keep them in their place. His fellow independence fighters had documented the devastating effect of the United States' colonial rule and explained why independence was a necessity if Puerto Ricans were to determine their own future freely. Their fight was in the interests of all workers and farmers in the United States in the shared struggle to be free of the same capitalist rulers who had used Puerto Rico as a source of profit and cannon fodder for their imperialist wars. Consequently, many workers in New York had expressed support for the call to release the independence fighters currently imprisoned in the United States.

60. Four years into the worldwide capitalist depression, Black and Latin American workers were among those who bore the brunt of the ill effects as governments slashed funds and employers attempted to cut back on negotiated wages and working conditions. The law enforcement and justice systems were being used to quell any possible resistance and to intimidate working people: thousands of immigrant workers had been fired, arrested or deported in nationwide crime-fighting sweeps. However, the brutal realities of capitalism were sparking resistance by workers across the United States, and it was among them that support could be won in the battle for the independence of Puerto Rico.

61. The colonial masters propagated the lie that Puerto Rico could not survive without the United States, but the Cuban Revolution had shattered that myth. He called on the United States Government to release the three Puerto Rican political prisoners, as well as their five Cuban counterparts, recalling that Oscar López Rivera had been imprisoned for longer than the apartheid regime had held Nelson Mandela. The Committee should condemn the colonial rule in Puerto Rico and thus serve the interests of the

overwhelming majority of the people of the United States and of those everywhere who fought for self-determination.

62. **Mr. Villanueva Muñoz** (Comite de Derechos Humanos de Puerto Rico) said that the United States, in an attempt to extinguish the people's calls for justice, continued to ignore the Special Committee's many unanimous decisions and resolutions reflecting a global consensus on the decolonization of Puerto Rico. The Committee had to consider how to make its resolutions self-executing and fulfil its obligation with regard to Puerto Rico. It should urge the United States to take steps to allow a genuine process of self-determination and ultimately, decolonization and to free the political prisoners.

63. The former President of the General Assembly, Mr. d'Escoto Brockmann, had unsuccessfully attempted to introduce changes in that organ's structure and mandate which would have made the United Nations more democratic and given it more authority to carry out its mandate. There was a need for an international tribunal or body that could issue binding decisions to ensure that resolutions of the Committee and the General Assembly were respected. There were no legal or moral grounds to justify the failure of the United States, a State Member of the United Nations, to implement resolutions that complied with international law.

64. United States Presidents were allowed to pardon prisoners, but none had yet pardoned Oscar López Rivera, an honest man who had fought for independence. Nobel Peace Prize laureates and a number of religious, trade union and political leaders in Puerto Rico had openly supported and called for his release — the time had come for President Obama to grant him a pardon.

65. The institutionally sanctioned disregard for the just claims for independence and for human rights highlighted the need to strengthen the legal arrangements of international bodies so that Heads of State and Member States would abide by international law and comply with their treaty obligations. The purpose of international law was to develop a framework to support the efforts of peoples to attain peace and freedom. The unjust and excessive detention of Oscar López Rivera made him a tragic embodiment of the enslavement of his people, who remained under odious colonial rule. The Committee must bring greater pressure to bear to put an end to those injustices.

*The meeting rose at 1.05 p.m.*