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مجلس حقوق الإنسان
الدورة التاسعة
البندان ٣ و ٤ من جدول الأعمال

تعزيز وحماية حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

حالات حقوق الإنسان التي تتطلب اهتمام المجلس بها

رسالة مؤرخة ٣٠ حزيران/يونيه ٢٠٠٨ وموجهة من البعثة الدائمة لكوبا إلى مفوضة الأمم المتحدة السامية لحقوق الإنسان وإلى رئيس مجلس حقوق الإنسان

أتشرف بأن أحيل إليكم طياً نص البيان الذي أدلى به وزير العلاقات الخارجية لجمهورية كوبا، سعادة السيد فليب بيرس روك، في مؤتمر صحفي عُقد في ٢٢ أيار/مايو الماضي. وقام السيد الوزير خلال المؤتمر الصحفي بتسليط الضوء على الصلات المشبوهة القائمة بين كل من الإرهاب الذي يمارس بمدينة ميامي ضد كوبا، ودبلوماسيي الولايات المتحدة المعتمدين في هافانا، والجماعات المرتزقة التي تعمل في بلدنا.

وقبل انعقاد المؤتمر الصحفي المشار إليه ببضعة أيام، أدانت حكومة كوبا التصرفات المشينة لموظفين دبلوماسيين للولايات المتحدة معتمدين في هافانا، وبخاصة رئيس قسم رعاية مصالح الولايات المتحدة الأمريكية، السيد مايكل إ. بارملي، بوصفهم مُيسرين للاتصالات وللصفقات المالية بين الإرهابي سَنْتياغو ألفرِس وجماعات مرتزقة في كوبا تعمل لحساب حكومة الولايات المتحدة، بغرض الإخلال بالنظام الدستوري المقام شرعياً في كوبا، منتهكين بذلك حق شعب كوبا في تقرير مصيره بحرية.

ولم تكذب حكومة الولايات المتحدة الأمريكية هذه الشكاوى حتى الآن، وتهربت من تقديم رد بشأن السلوك غير المشروع لموظفيها، الذين ضُبطوا متلبسين بالجريمة بينما كانوا يعملون كمبعوثين أدنياء لأحد الإرهابيين. ومن المفارقات أن ذلك الإرهابي يقبع حالياً في أحد سجون الولايات المتحدة.

وتتضمن الشكوى التي تقدمت بها كوبا بيانات ومستندات مفصلة عن ضلوع دبلوماسيين يعملون بقسم رعاية مصالح الولايات المتحدة الأمريكية بمافانا في إرسال أموال إلى الإرهابي السيئ السمعة ستيغغو ألفرس، وإلى مرتزقة في كوبا، بل وكذلك عن تورطهم في هذه العمليات كمقرضين.

إن هذه المعلومات تُضاف إلى السجل الحافل الذي يدلُّ على النهج المعادي الذي تتبعه حكومة الولايات المتحدة إزاء كوبا، سعياً منها إلى القضاء على الثورة الكوبية، بدءاً بمواصلة الحصار الاقتصادي والتجاري والمالي الصارم المفروض على البلد وانتهاءً بالاستخدام المخزي لدبلوماسيها كساعي بريدٍ خاسئين مكلفين بإيصال أموال ورشاوى لمواطنين داخل كوبا يعملون مرتزقةً وخدمةً لسياسات الولايات المتحدة المتمثلة في معاداة الشعب الكوبي، وفي الاعتداء عليه ومحاصرته.

إن هذه الحرب غير المعلنة ضد الأمة الكوبية، وتجنيد المرتزقة داخل الجزيرة وتوجيههم ودعمهم لوجستياً ومالياً ما برح هدفاً أساسياً من أهداف حكومة الولايات المتحدة في وضع وتنفيذ استراتيجيتها المعادية لكوبا.

إن هؤلاء المرتزقة، الذين يعملون متجاهلين تجاهلاً صارخاً لقوانين كوبا ومناهضين لحقوق الإنسان لشعب كوبا بدعمهم سياسة الحصار وقيامهم بأفعال تخريبية وأعمال عنف بواسطة الأموال التي يتلقونها من واشنطن، هم مَنْ تعمل الأجهزة الدعائية القوية لدى الإمبريالية الأمريكية الشمالية على تصويرهم بأنهم "منشقون أو معارضون سلميون"، بل وكذلك بأنهم "مدافعون عن حقوق الإنسان".

وتود كوبا أن تُدين هذه الأفعال والعلاقة المشينة بين كل من جماعات المرتزقة داخل البلد، والإرهابيين الذين صدرت أحكام بحقهم في ميامي، والإدارة في الولايات المتحدة.

وفي ضوء ما تقدّم، أرجو التفضل بالإيعاز بتوزيع هذه الرسالة ومرفقها* بوصفهما من الوثائق الرسمية لمجلس حقوق الإنسان، في إطار البندين ٣ و ٤ من جدول أعمال المجلس.

خورخه فرّير
القائم بالأعمال بالوكالة

* أدرج كما ورد، بلغته الأصلية وبالإنكليزية فقط.

Annex

Press conference for the national and foreign press held by Mr. Felipe Pérez Roque, Minister for Foreign Affairs of the Republic of Cuba, at the Ministry of Foreign Affairs on 22 May 2008

I have invited you here today to call on the President of the United States, to call on Secretary of State Condoleezza Rice, to call on the United States Government to answer, to stop evading the questions floating in the air unanswered, questions about the public revelations of the sordid links between anti-Cuban terrorism in Miami, United States diplomats accredited in Havana and United States mercenary groups operating in our country.

I have called you here today to reiterate Cuba's demand for an answer from the United States President, Secretary of State and Government. We have a right to know. You as journalists, public opinion, our people, the people of the United States have the right to know about the sinister plot, yet to be fully revealed, concerning these inconceivable ties, about which ample information has come to light in recent days.

We call on the United States President, we call on the Secretary of State, we call on the United States Government to stop evading the issue, to stop resorting to pretexts, to end the silence, to stop hiding. We call on them to show their faces and respond to the serious accusations that have been made against them. I have also called you here today to respond to the farce enacted by the United States President at the White House yesterday.

Three days ago, we denounced the scandalous conduct of United States diplomats accredited in Havana, in particular the Chief of Mission of the United States Interests Section in Havana, as the facilitator of contacts and the movement of money between terrorist Santiago Álvarez and mercenary groups operating in Cuba.

As of today, the Government of the United States has not denied these accusations and has avoided answering questions regarding the illegal conduct of its officials, who have been caught red-handed, acting as common couriers of a terrorist who, moreover, is serving a prison sentence in the United States.

Let us have a look at what the State Department spokesperson, Mr. McCormack, said when asked about this issue.

He was asked a direct question: "Is there any policy that prevents United States diplomats from being a means of delivering cash to those who may be dissidents in Cuba?" That was the question: "Is there any policy that prevents this?" His reply was: "I'm not aware of the mechanics or the regulations that guide it."

He was again asked: “The accusation from the Cubans is that the head of the Interests Section has been delivering cash from private US groups to the political opposition in Cuba” (“private groups” refers to a violent terrorist cell and a man serving a prison sentence in the United States, and “political opposition” refers to what we have seen in recent days, money-grubbing mercenaries squabbling among themselves). When told that Cuba claims that the Chief of Mission of the Interests Section is involved in this, the spokesperson replies: “I don’t know the specifics of this. I am not aware of the mechanics.”

Again, he is asked: “But [...] the head of the Interests Section, can he go ahead and wire money or send money to these groups?” Spokesman McCormack’s response: “Look, I can’t - you know, I’m not here to talk about the specific mechanics of this. I’m sure that we can find some expert.”

A journalist then says to him: “You’re kind of here to answer questions that we have about [...] this issue,” in other words, “if you haven’t come here to answer these questions, why have you come at all?”

It was with these evasive answers, in stammering tones, that the authorized spokesperson and State Department official responded on this subject.

As you can understand, we found the scene highly amusing.

When the Assistant Secretary of State for Western Hemisphere Affairs, Thomas Shannon, was asked about the issue, he replied: “the United States has a well-known policy of humanitarian assistance to the Cuban people [...]. And we will continue that practice and policy”.

We are back to square one. Is it authorized or not? Does the Government of the United States support or condemn this practice?

The Assistant Secretary of State for Latin America has nothing but evasive answers and stock phrases to offer, without actually saying anything. But in addition to leaving the question unanswered, his reply is brutally cynical: to say that they have a “well-known policy of humanitarian assistance to the Cuban people”, speaking on behalf of a Government that has taken the policy of the blockade against Cuba and the persecution of the Cuban people to insane levels, in an attempt to strangle us, to kill us through hunger and disease, to say they have a well-known policy of humanitarian assistance is utterly unscrupulous. But it does not answer the question.

The United States Interests Section comes next; it does not make a public appearance, but instead publishes and distributes a statement which Washington, as one might expect, instructed it to do. What does the Interests Section, which does not show its face, say in its statement?

“We permit US private organizations to do so as well.” I understand “to do so as well” as implying “as the Chief of Mission of our Interests Section has done”.

“This assistance has no political purpose, but is intended to address the day-to-day needs of families who are struggling to survive in the current system.”

That is what the United States Interests Section statement says.

It seems to us that these very serious accusations have not been fully addressed, and we have therefore come here today to stress the seriousness of this matter and to insist on the need for a public response to public opinion.

Moreover, it is cynical for the same Government that, under the blockade law and all its regulations, denies Cubans residing in the United States the right to send remittances to their relatives in Cuba, for this same Government to act, through its diplomatic agents, as an intermediary to enable terrorists like Santiago Álvarez and his accomplices to send money to Cuba, in this case not to their relatives but to mercenary elements, in order to promote subversive activities in Cuba, in support of its policy of blockade and aggression against our country. This has nothing to do with humanitarian assistance; the money is used to pay for the services of paid agents and mercenaries.

It is cynical in the extreme for the same diplomatic agents responsible for supervising the policy which prevents Cubans living in the United States from sending money to their relatives in Cuba - financial assistance - for these same agents to act as couriers or emissaries to deliver money to mercenary groups in Cuba. This is truly without precedent in the annals of Cuba's diplomatic relations.

The United States Government's inability to offer a serious response to these accusations has now become evident. Accordingly, we would like to give a clear account of the facts that have been revealed this week, which are very serious indeed.

Three key elements stand out among the many facts that have been published. First, the involvement of diplomats from the United States Interests Section in Havana in the delivery of money from the notorious terrorist Santiago Álvarez, resident in the United States, where he is serving a prison term, to mercenaries in Cuba, mercenaries in the service of United States policy in Cuba. They acted not only as couriers but also, even, as lenders at a pinch. That is to say, the Chief of Mission of the Interests Section gave the mercenaries a cash advance to cover their expenses until Santiago Álvarez could pay them back. That is a fact.

The second and very serious fact is that these mercenary elements in Cuba, in exchange for the money they received from Santiago Álvarez through United States diplomats, in repayment, shall we say, for the money they receive, helped Santiago Álvarez, who is in jail in the United States, when he stood trial, to secure a reduction of his sentence for possession of an arsenal of weapons intended for use in acts of violence against Cuba. They gave him documents, sent from Havana, enabling this terrorist to present himself as a benefactor of the human rights cause, someone who "supports groups in Cuba that struggle for human rights" and not a terrorist. He was thus able to have his sentence reduced.

We thus have before us a case in which Cuban mercenaries based in our country, using the United States Interests Section, provide documents which influence the outcome of a trial against a terrorist accused of possessing an arsenal of weapons to be used against Cuba, enabling him to obtain a reduction in his sentence. This is a matter of the utmost gravity.

I think we should highlight the content of two documents which were presented this week. The first is a message from Ms. Carmen Machado to Ms. Martha Beatriz Roque, in which Carmen Machado - a close associate of the terrorist Santiago Álvarez - writes the following:

“I would like to ask you for a big favour,” - she writes to Martha Beatriz Roque. “If it’s not possible, don’t feel bad and don’t worry, because our Friend” - Santiago Álvarez - “will understand. I need a letter from you, signed by you, that confirms our relationship with the Fundación Rescate Jurídico of which” - of that support and that relationship - “as you know, the main collaborator is Santiago Álvarez. We need a letter from you stating this”.

“The letter should be addressed to Judge James Cohn” - the judge who is reviewing this man’s case. “He is the judge who will have the last word on how many years our Friend is going to get and the person who can reduce it to what he was promised.” Santiago Álvarez was promised a reduction of his sentence and, to do this, the judge needs a letter stating that Santiago helped Cuban-based mercenary groups which - according to the United States Government - are struggling for human rights. “This letter would only be read by the lawyers” - the terrorist’s lawyers - “our lawyers”, she writes, “and by Judge Cohn”. The prosecution, which represents the State, would neither have access to nor read the letter.

In other words, Cuban mercenaries write a letter to help an accused person obtain a reduction in his sentence. They are helped to do this by the United States Interests Section in Havana, conspiring against the prosecution, which in turn represents the State, so that it knows nothing of the letter, which only the judge and defence attorneys can read. “The assistance that we have given you and other relatives of political prisoners (Óscar Elías Biscet), and those we have yet to help. That would give his actions legitimacy in this trial of his” - Santiago’s trial, that is.

“Please, if this is possible, I would be eternally grateful to you.” They request this from her. And Ms. Roque and other mercenaries in Cuba write the letter and send it.

This is followed by another document, in which Martha Beatriz Roque tells this lady: “I must inform you that there is a serious problem with the document I wrote and sent you about the money received.” Received from whom? From Santiago Álvarez. “The young woman from the Roosevelt Centre” - there in the United States Interests Section - “misplaced the original with my signature. As you can imagine, if she works at the Interests Section she also works for State Security”. I don’t understand this association and this accusation levelled at the young woman from the Roosevelt Centre. The mercenary adds: “I informed Michael Parmly of this and they told me they would see what they could do” to find the original letter that was lost. They used the copy over there, but the original is nowhere to be found. “It is a serious problem, because State Security will surely publish the original on the Round Table programme, or in a book.” She adds: “I wanted you to know this and to tell my friend, of whom I am also proud.” Because he had sent her a message saying how proud he was to see how she was fighting to have his sentence reduced.

I wanted to emphasize the seriousness of this issue: United States diplomats in Havana have colluded with mercenaries in the service of the United States here in Cuba, together with a judge in Florida and the defence lawyers, to reduce the sentence against the terrorist Santiago Álvarez, using a document produced and sent via the United States Interests Section and its mail system.

I therefore believe that the United States Government should own up to this new alliance in which Cuban-born terrorists in Miami are in league with United States diplomats and United States mercenary groups in Cuba; a new alliance that transfers money, conspires against justice and works for the forces of subversion against Cuba. This is a second element; consequently, Cuba expects a thorough investigation of this serious matter by the United States Government, and Cuba expects the results of that investigation to be made public. We have the right to know.

There is a third element which has come to light this week. I have mentioned the first - involvement of United States diplomats in the movement of money between terrorist groups and mercenaries in Cuba; the second - the involvement of these same people in a conspiracy to obtain a reduction in the sentence of an imprisoned terrorist; and the third - the illegal conduct of the United States Interests Section in Havana in encouraging, financing, organizing, directing and supervising down to the last detail. Remember that "CNN, wow!" In other words, every detail of the coverage of who is there, doing what. It supervises, directs, finances and organizes the carrying out of acts of provocation by mercenary elements in Cuba aimed at destabilizing order in our country. There are three very serious elements implicating United States diplomats in Havana.

The mercenary character of these so-called dissident groups has also, I think, been irrefutably shown; their quisling nature, the way they receive instructions and money, not only from the United States Government, but even from terrorist groups - whoever is willing to put up the money.

I want to emphasize that these acts violate Cuban law; they violate the laws of the United States and they violate conventions and norms of international law.

What would happen if Ms. Martha Beatriz Roque and the mercenaries that have been mentioned over the past days were living in the United States, and they were accused of receiving money from a terrorist group acting against the United States via Cuban diplomats or from another country? What would happen if this were discovered and they were tried in the United States for receiving money from terrorist groups that want to take action against the United States? What does United States law stipulate? What did President Bush say? "Any person who encourages a terrorist, or harbours a terrorist, also becomes a terrorist." Weren't those his words?

So we are here today to ask, what does the United States Government know about this whole plot? What does the Secretary of State know? What does she have to say? Was she informed that her diplomats were conducting themselves in this way in Havana? Now that she does know, what does she think? Does she clearly see that her diplomats are acting as couriers? Does she support Mr. Parmly in his activities as courier and emissary delivering money from terrorist groups to mercenary groups in Cuba? What do they have to say? What does the United States Government say? It should say something.

Does it oppose or condemn these acts, or is it covering them up? Does it condone or support them? What does the United States Government say? What has it investigated? What does it have to say about this new axis linking terrorist groups, United States diplomats and mercenary groups? We call on them to stop using evasive, stammering language and seriously face up to the facts, the gravity of which cannot be minimized or concealed.

That is essentially what we are calling for. The United States Government must speak, it must say whether it agrees, or whether it will investigate these actions, which involve crimes that violate United States and Cuban laws, as well as international law.

The illegal conduct of the United States Interests Section in Havana is a violation, in the first place, of the bilateral agreement between the Cuban and United States Governments that led to the establishment of the Interests Section, which goes back to 30 May 1977. The agreement stipulated that the interests sections were established “to facilitate communication between the two governments,” and to “carry out routine diplomatic and consular functions,” for which both parties - the United States and Cuban Governments - “reconfirmed their commitments under the applicable international treaties governing diplomatic and consular relations”. The content of those treaties was reaffirmed.

What does the Vienna Convention on Diplomatic Relations - which is the key document here - have to say? It states that “The functions of a diplomatic mission consist [...] in: representing the sending State in the receiving State; protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law; negotiating with the Government of the receiving State.” In other words, the usual diplomatic functions, as everybody knows. It says that the duty and function of diplomatic missions is “Promoting friendly relations [...] and developing their economic, cultural and scientific relations.”

The United States Interests Section in Havana is attached to the Swiss Embassy in Cuba, and all of this is also a violation of and an offence to the Swiss diplomatic service, which agreed to represent those interests in Cuba and ours in the United States, placing them in an extremely awkward position as well.

These are its functions. Nowhere is it accepted that the functions of a diplomatic mission should be to finance, lend money, serve as a courier, direct or organize political groups opposing the Government before which they are accredited; these are all violations.

Moreover, article 41, paragraph 1, of the Convention provides that “Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State [...]. The premises of the mission must not be used in any manner incompatible with the functions of the mission [...]”.

Well, converting the United States Interests Section into a campaign headquarters and its facilities into a convention centre for mercenary groups to carry out their activities and conspire is in complete violation of the Vienna Convention, and the United States Government knows it; therefore we are calling on them, because they do not permit diplomatic missions accredited in

the United States to act in this manner. We are therefore calling on them to respond, to stop hiding, to show their faces and explain to the public what they have to say about these serious acts, for which extensive evidence has been provided.

Moreover, yesterday, in the midst of this situation, the United States Interests Section staged and orchestrated another provocation against Cuba and held a meeting in the residence of one of its officials on 7th and 24th streets in Miramar. This house has become - as I said - a sort of convention centre for the counter-revolution in Cuba and for mercenary groups of the United States. It staged a show there with all of these people - some of whom have been completely exposed in the last few days - to listen to President Bush's speech, no less. All of that, in the middle of this situation, as if what has already been said and discussed were not enough. They went there to listen, to applaud like crazy ... Some of them said that they were truly moved to see the President on television, that it was an enriching experience. There are their statements, which give an idea of the quisling nature of some of these people.

So they went there, they applauded, they thought everything was great and they heard Bush's speech.

Regarding Bush's speech and that whole spectacle at the White House, I must say that it was a decadent show, an irrelevant and cynical speech, an act of ridiculous propaganda in bad taste. That is what I have to say about yesterday's events, because really it should be said that President Bush is a has-been, a president on the way out, packing his bags to head for his ranch in Texas a discredited politician; who is overwhelmingly rejected in his own country.

President Bush is less popular today than President Nixon was in the midst of the Watergate scandal, when he was on the verge of having to leave the presidency, a real record - as has been said before - a man who shames the United States people; a man with whom the Republican Party candidates and his own fellow party members refuse to be seen in public, nor do they want his support, because it would affect their prospects in the election; a pariah, shunned by everyone. That is the reality. That is today's President of the United States, who is withdrawing and leaving the presidency, having been the President who ordered illegal invasions, the murder of hundreds of thousands of civilians, torture, illegal flights and kidnappings; who appeared in public defending torture. In other words, a man who developed a policy solely in the service of his cronies, of powerful oil interests and some circles of power in the United States.

That is the man who is leaving. What is his legacy? What is he leaving behind? Well, yesterday, the show in front of the usual audience, one of the few groups that still applaud him in the United States, the Cuban mafia from Miami, which is a minority in the Cuban community in the United States. He has nothing else to do; this is a show there, nobody is paying any attention to it. The election campaign is happening without him; he is shunned. If he shows up in one place, the Republican candidates go somewhere else; they do not want to have anything to do with him; he is a jinx. That is the man we're dealing with: irrelevant, regarded by everyone with a mixture of derision and distaste. That is the truth. That is the man we are dealing with. He stands there and threatens Cuba, utters a few incoherent sentences, tries to say one or two things in Spanish. That is the decadent, mediocre show we have seen.

That is what we think about his words.

But there is one thing I should emphasize, because President Bush did something yesterday, in the middle of that whole mediocre farce: in his speech yesterday he placed a Miami singer on the same level as José Martí, to pay tribute to a singer from Miami, raising him to the same level as Cuba's national hero, José Martí, to do that in Washington, two days after the anniversary of José Martí's glorious death in battle, is a serious affront to the dignity of the Cuban people, which we condemn and reject on behalf of our people. The Cuban people will never forget an insult of that magnitude.

That is what we have to say, that is our response to these events and the public appearance yesterday by the President of the United States.
