

**Statement by**

**H.E. Mr. Martin Palouš  
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**on**

**The Draft Decision L.33  
presented by the Delegation of Cuba**

**ECONOMIC AND SOCIAL COUNCIL  
Substantive Session of 1999**

**Geneva, 27 July 1999**

Mr. President, Excellencies, Distinguished delegates, Ladies and Gentlemen,

Allow me to make a few remarks contributing to the general debate on human rights, under item 14 (h).

As one of the co-authors of the resolution on Human Rights in Cuba, 1999/8, approved by the Commission on Human Rights at its 55th session, in April 1999, we are satisfied that the draft decision L.33 has been withdrawn. However, since in our opinion the distinguished delegate of Cuba did not give an accurate description of how this resolution came into being, I would like to make some additional comments.

First, the resolution was presented in the CHR by the Czech Republic and by Poland - not by the United States. It was co-sponsored by over 20 countries present at the session. It evaluated the situation of human rights in Cuba from a long-term point of view, but particularly in the light of the developments having occurred between the last two sessions. It used a largely different approach from previous years. The aim of the resolution was not merely to criticize Cuba, but - in a true spirit of international solidarity and shared respect for human rights - to show goodwill and to extend a helping hand, in readiness to accept any positive response from the Cuban side.

The resolution was drafted very carefully, as an "open" document, implying and offering future cooperation and assistance from the co-sponsoring countries. Both co-authors repeatedly stressed that their motives were the signals emanating from the country concerned, combined with their own experience of the same political system, violating some of the most fundamental aspects of human rights. As it was stated several times during the Commission, the Czechs and the Poles had strong reasons to go ahead with such an initiative, in view of their own historical experience with the same totalitarian regime. Only we, former human rights defenders in both countries, know how to appreciate the external support from the democratic world and in particular from the UN human rights' mechanisms. We consider it our moral duty to provide similar assistance to the victims of human rights abuses in other countries, and later on to the countries themselves in the difficult process of democratization awaiting them.

Thus, we have to object to all attempts describing our initiative as politically motivated, serving the global interests of anyone. The principles of our action were truly universal and totally outside party-political considerations. Unfortunately, some countries have interpreted the Czech-Polish initiative in a different way. Allow me to say that their misunderstanding of our attitude stems directly from the lack of the same experience we had to go through. However, the number of co-sponsors and the result of the vote in the CHR have proven that the motives of the two co-authors were correctly understood and accepted by the international community.

Second, the matter to be considered today is not the state of human rights in Cuba or any other country, but the concept of human rights as such. It is the basic philosophy behind the draft decision presented by the Cuban delegation and its implications for the future. From our point of view, these implications must appear dangerous and utterly unacceptable to anyone taking at heart the basic principles of the UN Charter and other major human rights documents.

Had the ECOSOC decided to follow Cuba's recommendation, i.e. had it approved the draft decision requesting the CHR to cease all consideration of the question of human rights in that country, it would have created an extremely dangerous precedent for the work of the Commission. In the opinion of my delegation, this could have been the starting point for the dismantling process of the whole system of the Commission: One can easily imagine other situations in future, where a similar approach would be used as a comfortable way out of the Commission's scrutiny. We would consider such an option unacceptable and even absurd. We are convinced that a decision of this kind would lead to the weakening of the mandate of the Commission at a time when we are starting to review the Commission's mechanisms, with the aim of strengthening them and making them more transparent.

In conclusion, I would like to say that UN Secretary General Kofi Annan visited the Czech Republic recently, to share with us his vision of the UN for the 21st century, as well as to examine the state of preparation of the Assembly 2000. We strongly believe - in agreement with the UN Secretary General - that a systematic and principled internationalization of the UN human rights system belongs to the core of this vision. According to our opinion, such documents as the draft decision L.33 would act against it. I would like to ask even those distinguished delegates who did not agree with us, as far as the debate on human rights in Cuba was concerned, to take this aspect into consideration.

Mr. President, because we believe the global UN vision for the 21st century to be at stake here - and not the old worn-out ideas leading to superfluous battles - we ask the ECOSOC to reject the very concept of draft decision L.33. We need a truly constructive approach, if we want to look to the future and not to the past, preparing ourselves for the challenges of the new millenium.

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