

103^D CONGRESS
1ST SESSION

H. CON. RES. 38

Calling for the United States to propose and seek an international embargo against the totalitarian government of Cuba.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1993

Mr. DIAZ-BALART (for himself, Mr. TORRICELLI, Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. BALLENGER, Ms. ROS-LEHTINEN, and Mr. DEUTSCH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Calling for the United States to propose and seek an international embargo against the totalitarian government of Cuba.

Whereas the United States has shown a deep commitment, and considers it a moral obligation, to promote and protect human rights and fundamental freedoms as expressed in the Charter of the United Nations and in the Universal Declaration of Human Rights;

Whereas the Congress has historically and consistently manifested its solidarity and the solidarity of the American people with the democratic aspirations of the Cuban people;

Whereas the Cuban Democracy Act of 1992 calls upon the President to encourage the governments of countries that conduct trade with Cuba to restrict their trade and credit relations with Cuba in a manner consistent with the purposes of that Act;

Whereas the 1992 FREEDOM Support Act requires that the President, in providing economic assistance to Russia and the emerging Eurasian democracies, take into account the extent to which they are acting to “terminate support for the communist regime in Cuba, including removal of troops, closing military facilities, and ceasing trade subsidies and economic, nuclear, and other assistance”;

Whereas the Government of Cuba has engaged in the illegal international narcotics trade and harbors fugitives from justice in the United States;

Whereas the Castro government has threatened international peace and security by engaging in acts of armed subversion and terrorism such as the training and supplying of groups dedicated to international violence;

Whereas the Castro government has utilized from its inception and continues to utilize torture in various forms (including by psychiatry), as well as execution, exile, confiscation, political imprisonment, and other forms of terror and repression, as means of retaining power;

Whereas Fidel Castro has defined democratic pluralism as “pluralistic garbage” and has made clear that he has no intention of tolerating the democratization of Cuban society;

Whereas the Castro government holds innocent Cubans hostage in Cuba by no fault of the hostages themselves solely because relatives have escaped the country;

Whereas although a signatory state to the 1928 Inter-American Convention on Asylum and the International Covenant on Civil and Political Rights (which protects the right to leave one's own country), Cuba nevertheless surrounds embassies in its capital by armed forces to thwart the right of its citizens to seek asylum and systematically denies that right to the Cuban people, punishing them by imprisonment for seeking to leave the country;

Whereas the United Nations Commission on Human Rights has repeatedly reported on the unacceptable human rights situation in Cuba and, in Resolution 1992/61, took the extraordinary step of appointing a Special Rapporteur;

Whereas the Government of Cuba refused access to the Special Rapporteur and formally expressed its decision not to "implement so much as one comma of Resolution 1992/61";

Whereas on December 4, 1992, the United Nations General Assembly passed Resolution 1992/70 which "Regrets profoundly the numerous uncontested reports of violations of human rights and fundamental freedoms" described in the Special Rapporteur's report to the United Nations;

Whereas Article 39 of Chapter VII of the United Nations Charter provides that the United Nations Security Council "shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken . . . , to maintain or restore international peace and security.";

Whereas the United Nations has determined that massive and systematic violations of human rights may constitute

a “threat to peace” under Article 39 and has imposed sanctions due to such violations of human rights in the cases of Rhodesia, South Africa, Iraq, and the former Yugoslavia;

Whereas the totalitarian nature of the Castro regime has deprived the Cuban people of any peaceful recourse to improving their own condition and has led thousands of Cuban citizens to risk or lose their lives in attempting to escape from Cuba to freedom; and

Whereas the Cuban people deserve to be assisted in a decisive manner to end the tyranny that has oppressed them for 34 years: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),* That it is the sense of the Congress that—

3 (1) the United States considers the acts of the
4 Castro government, including its massive, system-
5 atic, and extraordinary violations of human rights, a
6 threat to international peace; and

7 (2) the President should advocate, and should
8 instruct the United States representatives to the
9 United Nations Security Council to propose and to
10 seek, a mandatory international embargo against the
11 totalitarian government of Cuba pursuant to chapter
12 VII of the Charter of the United Nations.

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