

48/142. Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,³ the International Covenants on Human Rights¹⁹ and other applicable human rights instruments,

Reaffirming also that all Member States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1993/63 of 10 March 1993,³³ in which the Commission recognized with deep appreciation the efforts of the Secretary-General and of the Special Rapporteur of the Commission on Human Rights to carry out the mandate concerning the situation of human rights in Cuba,

Noting concern about ongoing reports of serious violations of human rights in Cuba, as outlined in the interim report submitted to the General Assembly by the Special Rapporteur,¹⁹²

Recalling the failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1992/61 of 3 March 1992³² by refusing to permit the Special Rapporteur to visit Cuba, and noting its response, as cited in appendix II to the interim report of the Special Rapporteur, in which it states: "we emphatically reject resolution 1992/61 and, accordingly, we cannot cooperate in its implementation in any way",

1. *Commends* the Special Rapporteur of the Commission on Human Rights for his interim report;
2. *Expresses its full support* for the work of the Special Rapporteur;
3. *Calls upon* the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;
4. *Regrets profoundly* the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report of the Special Rapporteur to the Commission on Human Rights¹⁹³ and in his interim report;¹⁹²
5. *Calls upon* the Government of Cuba to adopt measures proposed by the Special Rapporteur and ratify international human rights instruments, cease the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, permit legalization of independent groups, respect guarantees of due process, permit access to the prisons by national independent groups and international humanitarian agencies, review sentences for crimes of a political nature and cease retaliatory measures towards those seeking permission to leave the country;
6. *Decides* to continue its consideration of this question at its forty-ninth session.

85th plenary meeting
20 December 1993

48/143. Rape and abuse of women in the areas of armed conflict in the former Yugoslavia

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,³ the International Covenants on Human Rights,¹⁹ the International Convention on the Elimination of All Forms of Racial Discrimination,⁵ the Convention on the Prevention and Punishment of the Crime of Genocide,¹⁹⁴ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁷⁵ the Convention on the Elimination of All Forms of Discrimination against Women,⁴¹ the Convention on the Rights of the Child⁵⁵ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949¹⁹⁵ and the Additional Protocols thereto, of 1977,¹⁹⁶

Recalling its resolution 3074 (XXVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity",

Taking note of Commission on Human Rights resolution 1993/8 of 23 February 1993, entitled "Rape and abuse of women in the territory of the former Yugoslavia",³³

Appalled at the recurring and substantiated reports of widespread rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, in particular its systematic use against the Muslim women and children in Bosnia and Herzegovina by Serbian forces,

Reaffirming the relevant Security Council resolutions, in particular resolution 798 (1992) of 18 December 1992, in which, *inter alia*, the Council strongly condemned those acts of unspeakable brutality,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of "ethnic cleansing" carried out by Serbian forces in Bosnia and Herzegovina, and recalling its resolution 47/121 of 18 December 1992, in which it stated, *inter alia*, that the abhorrent policy of "ethnic cleansing" was a form of genocide,

Welcoming the initiatives taken by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the former Yugoslavia, particularly his prompt dispatch of a team of experts to the former Yugoslavia to investigate the allegations of rape and abuse of women,

Welcoming also the initiative of the European Council in the rapid dispatch of a mission to investigate the treatment of Muslim women in the former Yugoslavia, and the report of the mission,¹⁹⁷

Taking note with deep concern of the findings of the team of experts dispatched by the Special Rapporteur,¹⁹⁸ and those of the mission dispatched by the European Council,

Welcoming the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in pursuance of Security Council resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,