



PERMANENT MISSION OF CUBA TO THE UNITED NATIONS

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STATEMENT BY THE CUBAN DELEGATION UNDER ITEM 84 “CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES”.

New York, 10 November 2020

Mr. Chairman,

Our delegation appreciates the presentation of the Secretary-General's Report A/75/168. In this regard, Cuba notes with concern and unequivocally condemns violent acts against diplomatic and consular Missions and their representatives, contained in the abovementioned Report. These actions have a negative impact on cooperative relationships among States and constitute flagrant violations of the Vienna Convention on Diplomatic Relations, the Convention on Consular Relations and the 1973 Convention on the Prevention and

Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

In this respect, all relevant measures aimed at preventing these acts from continuing to occur in the future must be adopted, as well as the prosecution of perpetrators of such acts by the State concerned.

Mr. Chairman,

The Report also refers to a serious incident that took place at the Embassy of Cuba in Washington last April, to which my delegation drew attention during the review of item “Measures to eliminate international terrorism”.

In relation to this, we highlight that the United States response is highly questionable, a country whose Unified Code qualifies as a crime the conduct of “attempting to kill a foreign official” and punishes it with imprisonment for up to 20 years in Section 1116 of Chapter 18 of the aforementioned Code.

Said section was promulgated in 1976 by the United States Congress, precisely to implement the

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

Mr. Chairman,

Last 22 July a federal grand jury formally charged with four offenses the individual that fired 32 rounds of an AK-47 rifle at the Embassy of Cuba in Washington, who also declared to have the intent to kill.

However, the four offenses charged did not include the one of Section 1116 of Chapter 18 of the Unified Code, which would qualify this crime as terrorism.

By refusing to qualify the attack perpetrated against the Cuban Embassy as a terrorist act, the United States government acts under clear political motivation and disregards the implementation of International Conventions that protect diplomatic agents against terrorist acts in that country.

For Cuba, this is a serious incident which occurred in the capital of a country with a considerable number of diplomatic missions. In this regard, we denounce that

the silence of the United States may become an incentive to those who identify the diplomatic offices as the targets of violent or terrorist attacks.

In this regard, we recall that there is a record of violent and hostile acts, including terrorist attacks against Cuban diplomatic officials appointed to the United States, both at the Embassy in Washington and the permanent representation to the United Nations in New York. An example of these actions is the assassination of the Cuban diplomat Félix García Rodríguez in New York, on 11 September 1980, and the direct attacks with explosive devices against the Permanent Mission of Cuba in that city.

Mr. Chairman,

Cuba enjoys a quiet and secure atmosphere for the performance of the diplomatic functions of all States and international organizations. Our country will continue to pay special attention to the protection and security of diplomatic missions and representatives accredited to our territory, as a sign of its commitment to the relevant international rules in force.

Our delegation calls for strict respect, implementation and enforcement of all applicable principles and rules of international law governing the inviolability of the premises of diplomatic and consular missions and permanent missions with diplomatic status to international organizations.

To conclude, Cuba wishes to reiterate its support for the biennial consideration of this matter in this Committee, since it decisively contributes to the better development of diplomatic and consular relations within a framework of security and strict compliance with the provisions of international law.

Thank you.