

## **American Association of Jurists Resolution Supporting Self-Determination and Independence for the People of Puerto Rico**

The American Association of Jurists (AAJ), a non-governmental organization with consultative status at the Economic and Social Council of the United Nations, reaffirms with this Resolution its declarations, pronouncements and activities in support of the inalienable right of the people of Puerto Rico to self-determination and independence and condemns colonialism perpetrated by the government of the United States since 1898.

### **REAFFIRMING the Declarations, Resolutions and Activities of the AAJ related to the colonial case of Puerto Rico, which include:**

1. Oral interventions and written statements presented before the Sub- Commission of Human Rights of the U.N. in August of 2000 (Vieques); the Human Rights Commission of the U.N. in Geneva in March of 2001 (Vieques); the Human Rights Council of the U.N.– Geneva, 2008 (case of the assassination of independence leader Filiberto Ojeda Ríos); the Special Rapporteur on Racism (Rapporteur’s Mission in San Juan, Puerto Rico in 2008, in writing); and, annually, as a petitioner at the United Nations Special Committee on Decolonization in New York at hearings on Puerto Rico;
2. The AAJ Declaration on the use of Vieques, Puerto Rico, for military purposes by the United States Navy, issued on May 19, 1999;
3. The AAJ Declaration on the arrests effectuated by the United States government on the Municipal Island of Vieques, Puerto Rico on May 5, 2000;
4. The Declaration on the application of the death penalty in Puerto Rico through United States jurisdiction in Puerto Rico, due to the colonial relationship, of August 27, 2003;
5. The Resolution on Vieques, Puerto Rico of 2003;
6. The Declaration calling for complete demilitarization, devolution and decontamination of Vieques of March 20, 2005;
7. The Declaration censuring the situation created by the displacements and expropriations, of September 10, 2005;
8. The Declaration condemning the assassination of the patriot and independence leader Filiberto Ojeda Ríos perpetrated by the Federal Bureau of Investigation (FBI), of September 28, 2005;
9. The solidarity “Call for Action Campaign/Jornada” in support of the independence of Puerto

Rico carried out by the Chilean Chapter of the AAJ in 2006;

10. The Resolution on the right of the Puerto Rican people to self-determination and independence, and the Resolution on the sovereignty of the natural resources of the people of Puerto Rico, adopted by the XIV Assembly of the Continental AAJ, on May 19, 2007;

11. The support for the inalienable right of Puerto Rico to self-determination and independence of the people of Puerto Rico, its struggle for sovereignty over its natural resources and support for the measures aimed at raising the colonial case of Puerto Rico at the General Assembly of the United Nations, expressly manifested in the Final Declaration of the XIV Conference of the Continental AAJ in La Paz, Bolivia on May 19, 2007;

12. The Declaration on the politically based persecution in Puerto Rico, of January 14, 2008;

13. The resolution in Support of the Puerto Rican Political Prisoners, approved at the AAJ Assembly convened at Buenos Aires, Argentina, on September 26, 2008;

**KEEPING IN MIND** the principles enunciated in the United Nations Charter, International Law and pronouncements of international organisms related to colonialism, including:

1. The Universal Declaration of Human Rights of December 10, 1948;

2. The Declaration on the Granting of Independence to Colonial Countries and Peoples of the U.N. General Assembly 1514(XV) of December 14, 1960, known as the *Magna Carta* of decolonization, which prohibits the continuation of colonialism, classifying said political condition as a threat to peace;

3. The International Covenant on Civil and Political Rights, in articles 1 and 2 on the right of people's self-determination, the prohibition of discrimination and the right not to be persecuted for political beliefs;

4. The rights contained in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and those enumerated in article 4(2) of the Covenant on Civil and Political Rights on life and the integrity of the human being, which cannot be abolished;

5. The U.N. Charter, articles 55 and 56, on the human rights which must be respected and complied with by all Member States of the United Nations, and which contain the right to self-determination, the right to enjoy a healthy environment, and an adequate level of life and development;

6. The resolutions issued by the United Nations Special Committee on Decolonization and contained in the reports of the Special Committee to the United Nations General Assembly with respect to the case of Puerto Rico;

7. By virtue of Resolution 43/47 of the United Nations General Assembly, of November 22, 1988, declaring the period of 1990-2000 the International Decade for the Eradication of Colonialism, and the subsequent Resolution 55/146 of December 8 of 2000 of the General Assembly, in which the Second International Decade for the Eradication of Colonialism from 2001 to 2010 is declared;

8. The Charter of the Organization of American States and the American Declaration of the Rights and Duties of Man, especially article 3(k) and subparagraph (m) which address fundamental rights;

9. The Final Declarations of the Summit Conferences of the Movement of Non Aligned Nations where consistently the right of the people of Puerto Rico to self-determination and independence in conformity with Resolution 1514(XV) has been reaffirmed;

**The American Association of Jurists, therefore, demands that the government of the United States:**

1. Comply with the mandates of the Charter of the United Nations, the Universal Declaration and the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, obligations which are required as a founding Member of the Organization of the United Nations and as a Party State of the Conventions.

2. Cease its meddling, coercion and interference in the affairs of the People of Puerto Rico, through the presence of its military and federal and police agencies, for over 110 years, and comply with Resolution 1514(XV) calling for the concession of independence to colonial countries and peoples, comply with and respect the treaties which prohibit the persecution of political minorities which, for their ideal of independence, are intimidated, persecuted or assassinated;

3. Grant the immediate and unconditional release of the Puerto Rican political prisoners who are serving disproportionate sentences for their political beliefs, for more than 25 years in U.S. prisons;

4. Bring to trial those responsible for the death of the independence advocate Filiberto Ojeda, for what constituted a vicious death in violation of the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the Commission on Crime Prevention and Criminal Justice (Res. 1989/65); and reaffirmed in the Resolution of the Human Rights Commission (Council) 2005/34 on Extra-legal, Arbitrary and Summary Executions (E/CN.4/2005/L.10/Add.11).

5. Disclose the information and bring to justice those responsible for the death of the Vieques civilian David Sanes, whose accidental death occurred due to live ammunition practices in Vieques.

6. Require the Navy and the U.S. government to decontaminate using safe methods and to return

the land in Vieques to its legitimate owner: the People of Puerto Rico.

7. Disclose information about the contamination by toxins and heavy metals deposited in the Vieques ecosystem and in the rest of the military bases in Puerto Rico and Caribbean waters; and adequately compensate the victims of the toxic contamination for the damage suffered due to such military practices.

8. Disclose the role played by the U.S. government, the FBI and other federal agencies in the disappearance and death of other independentistas such as, for example, Santiago Mari Pesquera, Ángel Cristóbal Ruiz, and Carlos Muñoz Varela, among others.

9. Respect the commitment of Cuba, Venezuela, Nicaragua, Bolivia, Ecuador, the Movement of Non Aligned Nations, represented by the Caribbean countries of Dominica and other countries, who have appeared at the U.N. Decolonization Committee, along with the American Association of Jurists and other non-governmental organizations such as the Workers Party of Brazil, the Socialist International, COPPAL and others, in solidarity with the inalienable right of the People of Puerto Rico to its self-determination and independence.

**In light of the actions of the annexationist government in Puerto Rico, which wants to annex Puerto Rico to the United States, the AAJ demands:**

1. An immediate cessation to the confrontation fostered by the past administration of president George W. Bush and now the current annexationist government in Puerto Rico desiring the implantation, by way of the U.S. armed forces (ROTC) at the University of Puerto Rico, and by way of a renewing of military practices in Vieques.

2. The cessation of lobbying by the annexationist government of Luis Fortuño in Puerto Rico in circles of power of the United States— as done during the Republican administration of Bush— in order to, again, convert the Island of Puerto Rico into an accomplice in military aggressions against sister nations such as Venezuela and Cuba, just as was done against the Dominican Republic and Granada.

**The AAJ demands that the United Nations:**

1. Immediately address the petition expressed in resolutions of the United Nations Special Decolonization Committee to examine in all its aspects the colonial case of Puerto Rico at the General Assembly of the United Nations.

**The AAJ asks non-governmental organizations to:**

1. Support this AAJ resolution and conduct “Campaigns/Jornadas” of solidarity in support of independence for Puerto Rico.

April 7, 2009

Vanessa Ramos

President of Continental AAJ

Beinusz Szmukler

President of the AAJ Consultative Council