

117TH CONGRESS
2D SESSION

S. RES. 717

Honoring the life and legacy of Oswaldo Payá Sardiñas and his contributions to promote democracy and human rights in Cuba on the 10th anniversary of his death.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2022

Mr. RUBIO (for himself, Mr. DURBIN, Mr. CRUZ, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Honoring the life and legacy of Oswaldo Payá Sardiñas and his contributions to promote democracy and human rights in Cuba on the 10th anniversary of his death.

Whereas the revolution led by Fidel Castro in Cuba in 1959 started 63 years of an ongoing dictatorship that systematically violates the human rights of the Cuban people, including denying them the basic freedoms of press, religion, assembly, and association;

Whereas Oswaldo Payá Sardiñas was born in Havana, Cuba, in 1952 and became a nonviolent critic of the communist regime as a teenager, resulting in 3 years of imprisonment in 1969 at a work camp, formerly known as “Isla de Pinos”, in Cuba;

Whereas Oswaldo Payá Sardiñas forewent a chance to escape Cuba in the 1980 Mariel boatlift, deciding instead to continue the fight for democracy in Cuba, saying, “This is what I am supposed to be, this is what I have to do.”;

Whereas, in 1988, Oswaldo Payá Sardiñas founded the Christian Liberation Movement that called for peaceful civil disobedience against the rule of the communist party of Cuba and advocated for civil liberties and human rights in Cuba;

Whereas, in 1992, Oswaldo Payá Sardiñas announced his intention to run for the National Assembly of Popular Power of Cuba and collected hundreds of signatures to support his candidacy, and 2 days before the election, was detained by police at his home and informed by communist party officials to be ineligible to run for office and threatened that “blood will run” if he ran;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement initiated the Varela Project, the largest civil society-led petition in the history of Cuba, in order to circulate a legal proposal to advocate for democratic political change within Cuba, including “convert[ing] into law, the right of freedom of speech, the freedom of press and freedom of enterprise”;

Whereas, in May 2002, the Varela Project delivered 11,020 signatures from eligible citizens of Cuba to the National Assembly of Popular Power, calling for an end to 4 decades of one-party rule, to which the communist regime responded by beginning its own forced collection of signatures in violation of its own rules to make Cuba’s socialist system “irrevocable”, and an additional 14,000 signatures were added to the Varela Project petition in 2003, and 10,000 more signatures were added in 2016;

Whereas, in March 2003, the crackdown on Cuban dissidents by the communist regime in Cuba, referred to as the “Black Spring”, led to the imprisonment of 75 individuals, including 40 leaders of the Varela Project and 25 members of the Christian Liberation Movement, and the formation of the Ladies in White movement by the wives of the imprisoned activists;

Whereas, in 2003, Oswaldo Payá Sardiñas developed a Call for the National Dialogue, which collected the contributions of thousands of Cubans inside and outside of Cuba;

Whereas, in 2006, Oswaldo Payá Sardiñas published the “Todos Cubanos” program, produced as a result of the National Dialogue among Cubans, to achieve peaceful changes, to propose a referendum to institutionalize human rights, to ensure that the economic and social rights of the people of Cuba are respected, to ensure that the people of Cuba are not excluded in Cuba, and to establish a rule of law;

Whereas, in 2007, Oswaldo Payá Sardiñas called on the National Assembly of People’s Power to grant amnesty to nonviolent political prisoners and to allow the people of Cuba to travel freely without a government permit;

Whereas, in 2011, Oswaldo Payá Sardiñas denounced the communist regime of Cuba’s false liberalization for not recognizing human rights and proposed to directly carry out a Binding Plebiscite to change the system towards democracy and establish a rule of law;

Whereas, on July 22, 2012, Oswaldo Payá Sardiñas and Harold Cepero, a fellow pro-democracy activist, died in a troubling car crash in Granma Province, Cuba, after being followed by regime agents of Cuba;

Whereas the communist regime of Cuba has failed to conduct a credible investigation into the car crash that led to the death of Oswaldo Payá Sardiñas;

Whereas, according to a report published in 2015 by the Human Rights Foundation, the best available evidence strongly suggests that the communist regime of Cuba is directly responsible for the deaths of Oswaldo Payá Sardiñas and Harold Cepero, evidence that was deliberately ignored by the judiciary system of Cuba;

Whereas the trial and conviction of Angel Carromero, a youth leader of the People's Party who was visiting Cuba and driving the car at the time of the crash, did not include testimony from key witnesses, and did not resolve questions about whether another car was involved or whether Mr. Carromero was coerced by the communist regime of Cuba into signing a false statement of guilt;

Whereas, in 2013, a number of United States Senators and the Department of State called for an impartial, third-party investigation by the Inter-American Commission on Human Rights of the Organization of American States into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

Whereas Oswaldo Payá Sardiñas has been formally recognized in the past for his dedication to the promotion of human rights and democracy, including by receiving the Homo Homini Award in 1999, the Sakharov Prize for Freedom of Thought in 2002, the W. Averell Harriman Democracy Award from the United States National Democratic Institute for International Affairs in 2003, and being nominated for the Nobel Peace Prize by Václav Havel, the former President of the Czech Republic, in 2005;

Whereas, in 2012, the United States Senate unanimously passed Senate Resolution 525, 112th Congress, agreed to July 31, 2012, honoring the life and legacy of Oswaldo Payá Sardiñas;

Whereas, in 2018, the United States Senate unanimously passed Senate Resolution 224, 115th Congress, agreed to April 11, 2018, recognizing the 6th anniversary of the death of Oswaldo Payá Sardiñas, and commemorating his legacy and commitment to democratic values and principles;

Whereas, in 2021, the United States Senate unanimously passed Senate bill 2045, 117th Congress, agreed to July 30, 2021, to designate the area between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, as “Oswaldo Payá Way”;

Whereas, on July 14, 2022, the City of Miami, Florida agreed to designate the area of LeJeune Avenue, between 11th and 14th streets, as “Oswaldo Payá Sardiñas Way” on the eve of the 10th anniversary of his death, July 22, 2022;

Whereas, throughout his life and since his death, Oswaldo Payá Sardiñas, his family, and friends endured years of harassment and intimidation from the communist regime of Cuba for his peaceful, political activism; and

Whereas, on July 11, 2021, thousands of people in Cuba raised their voices against the 63-year rule of the communist regime and called for the same freedoms Oswaldo Payá Sardiñas dedicated his life to: Now, therefore, be it

1 *Resolved*, That the Senate—

1 (1) recognizes and honors the life and legacy of
2 Oswaldo Payá Sardiñas on the 10th anniversary of
3 his death on July 22, 2022;

4 (2) offers heartfelt condolences to the family,
5 friends, and loved ones of Oswaldo Payá Sardiñas on
6 this painful anniversary;

7 (3) in memory of Oswaldo Payá Sardiñas, calls
8 on the United States to continue policies that pro-
9 mote respect for the fundamental principles of reli-
10 gious freedom, democracy, and human rights in
11 Cuba, in a manner consistent with the aspirations of
12 the people of Cuba;

13 (4) urges the Inter-American Commission on
14 Human Rights of the Organization of American
15 States to continue reporting on human rights issues
16 in Cuba, and to issue a favorable decision in the
17 case of Oswaldo Payá Sardiñas and Harold Cepero
18 that recognizes evidence which establishes the culpa-
19 bility of the communist regime of Cuba in their
20 deaths;

21 (5) calls on the communist regime in Cuba to
22 allow an impartial, third-party investigation into the
23 circumstances surrounding the death of Oswaldo
24 Payá Sardiñas; and

1 (6) calls on the communist regime in Cuba to
2 cease violating human rights and to begin providing
3 democratic political freedoms to Cuban citizens, in-
4 cluding freedom of association, freedom of speech,
5 freedom of the press, free elections, freedom to start
6 private businesses, and amnesty for political pris-
7 oners.

○