

Mr. Miguel Alfonso MARTINEZ*

(Nominated by the Government of Cuba)

Date of birth: 16 May 1935.

Place of birth: Havana, Cuba.

Language skills: Fluent in Spanish, English and French.

Fields of expertise:

-Indigenous issues (Member of the U.N. Working Group on Indigenous Populations since 1984, and its Chairman/Rapporteur from 2001 to 2005);

-Action against torture and other cruel, inhuman or degrading treatment or punishment (Active participation in the drafting at, and the adoption by the U.N. General Assembly, of the 1975 U.N. Declaration on Protection of All Persons from Being Subjected to those scourges);

-Enforced or involuntary disappearances (Active participation –in several initiatives sponsored by the International Commission of Jurists—in the drafting of the 1992 U.N. Declaration on the Protection of All Persons from Enforced Disappearance), and

-Arbitrary detention (Active participation in the process and drafting at, and adoption by the Commission on Human Rights of its resolution 1991/42 which led to the establishment of the U.N. Working Group on Arbitrary Detention) ;

Academic and job background:

1952 : High School Academic Diploma (Havana, Cuba).

1960-1961: Internal Revenues official (Customs Section) at the Ministry of Finance.

1960 : Doctor of Law (Summa cum laude) (Havana University).

1960-1961: Public defender; Penal Court, Province of Havana.

1961 :Bachelor's degree in Diplomatic and Consular Law (Havana University).

-Bachelor's degree in Administrative Law (Havana University).

-For academic merits, appointed as an Instructor in the Department of Criminology, Havana University Law School.

-Jurist in the Legal Division of the Ministry of Foreign Affairs of Cuba.

* Original Curriculum Vitae also available in Spanish from the Secretariat

- 1962 : -Promoted to Assistant Professor, Department of Criminology, Havana University Law School.
- Head of the United Nations Department in the International Organizations Division of the Ministry for Foreign Affairs.
- 1963-1966: -Counsellor, Cuban Foreign Service, assigned to Permanent Mission to the United Nations (New York).
- Counsellor, Cuban Foreign Service, assigned to Permanent Mission to International Organizations with Headquarters in Switzerland (Geneva).
- 1966-1971: Held various posts in the National Council of Culture, the Ministry of the Sugar Industry and the Cuban Institute of Friendship with the Peoples (ICAP).
- 1970-1973: Professor of Public International Law in the Department of Economic and International Law, Havana University Law School.
- 1971-1978: Head of the Social, Humanitarian and Cultural Affairs Department in the International Organizations Division of the Ministry for Foreign Affairs.
- 1979-1981: Professor of Private and Public International Law at the Higher Institute of the Cuban Ministry of the Interior (MININT).
- 1979- : Professor of Diplomatic Law and Law of Treaties at the Higher Institute of International Relations (ISRI); Ministry for Foreign Affairs, Havana.
- 1981- : Professor of Techniques of International Negotiation at the Higher Institute of International Relations (ISRI), Havana.
- 1983 : Awarded the National Special Award instituted by the Cuban Ministry of Higher Education for valuable scientific-technical research in higher education.
- 1984- : -Elected by the Commission on Human Rights as a member of its Sub-Commission on Prevention of Discrimination and Protection of Minorities (1984-1987).
- Appointed by the outgoing Chairperson of the Sub-Commission's thirty-sixth session as a Member of its Working Group on Indigenous Populations
- 1985- : Promoted to Titular Professor of Cuba's Higher Education System.
- 1986-1991: Appointed by the President of the International Committee of the Red Cross (ICRC) as a member of the Committee's Advisory Group of Experts in International Humanitarian Law (1987-1991).
- 1987- : Professor of General Theory of International Organizations at the Higher Institute of International Relations (ISRI), Havana.

- 1988- : Re-elected by the Commission on Human Rights as a member of the Sub-Commission (1988-1992).
- 1988-1989: Counsellor, Cuban Foreign Service, assigned to Permanent Mission to International Organizations with Headquarters in Switzerland (Geneva).
- 1989 : -Appointed by the Economic and Social Council as Special Rapporteur of the Sub-Commission on “Treaties, agreements and other constructive arrangements between States and indigenous populations”.
- Elected as Vice-Chairperson of the Sub-Commission.
 - Chairperson of the Sub-Commission’s Working Group on Detention
 - Consultant to the Crime Prevention and Criminal Justice Branch of the Social Development Division of the United Nations (preparatory work for the Eighth Congress on the Prevention of Crime and the Treatment of Offenders).
- 1990- : -Elected as a member of the Scientific Council of Cuba’s Higher Institute of International Relations (ISRI), Havana.
- Chairperson of drafting group No. 1 established by the Sub-Commission’s Working Group on Indigenous Populations at its eighth session to prepare certain parts of the Draft Declaration on the Rights of Indigenous Peoples.
 - Chairperson of the Sub-Commission’s Working Group on the right of everyone to leave any country, including his own, and to return to his country.
- 1992- : Re-elected by the Commission on Human Rights as Sub-Commission titular expert for a new four-year term (1992-1996).
- 1992-1993: Elected by acclamation by the Sub-Commission as Chairperson of its forty-fourth session, at the unanimous proposal of its Latin American/Caribbean Caucus.
- 1993 : -In his capacity as Chairperson, represented the Sub-Commission at the World Conference on Human Rights (Vienna, June 1993).
- Appointed as an adviser to *Indigenous Initiative for Peace*, an international Indigenous organization of indigenous peoples founded by Rigoberta Menchú Tum, Nobel Peace Prize winner, 1992.
- 1994-1997: Appointed (May 1994-November 1997) as the Spokesperson for the Ministry of Foreign Affairs of the Republic of Cuba.
- 1996- : Re-elected without a vote by the Commission on Human Rights as Sub-Commission titular expert for a new four-year term (1996-2000)
- 1997- : Elected as a Member of the Executive Board of the Cuban Society of International Law (CSIL)

- 1998- : -Appointed as a member of Cuba's National Group in the Permanent Court of Arbitration.
- Elected, once again, as Vice-Chairperson of the Sub-Commission's fiftieth session, representing the Latin American/Caribbean Caucus
- 2000- : -Re-elected by the Commission on Human Rights (with the largest number of votes received by any of the Latin American candidates) as Sub-Commission titular expert for a new four-year term (2000-2004).
- Elected (by acclamation) as Chairperson/Rapporteur of the Sub-Commission's Working Group on Indigenous Populations.
- 2001 : -Re-elected (by acclamation) as Chairperson/Rapporteur of the Sub-Commission's Working Group on Indigenous Populations.
- Invited by the U.N. High Commissioner for Human Rights to participate, in his capacity as an independent expert, in the U.N. World Conference Against Racism (Durban, August-September).
- Received the *Cuban Education Award* granted by the Ministry of Higher Education for his 40 years as a university professor.
- 2001-2003: -Appointed by the Economic and Social Council –at the request of the Commission of Human Rights and its Sub-Commission for the Promotion and Protection of Human Rights–to undertake a Study on “Human Rights and Human Responsibilities”.
- 2002- : -Re-elected (by acclamation) as the Chairman/Rapporteur of the Sub-Commission's Working Group on Indigenous Populations.
- Ex officio* Member of the Advisory Board to the U.N. Voluntary Fund for the International Decade of Indigenous People.
- Member of the Sub-Commission Working Group on Communications.
- 2003- : -*Ex officio* Member of the Advisory Group of the UN Voluntary Fund for the International Decade of Indigenous People
- Member of the Sub-Commission Working Groups on Communications and on Indigenous Populations.
- Re-elected (by acclamation) as the Chairman/Rapporteur of the Sub-Commission's Working Group on Indigenous Populations.

- 2004- : -Re-elected (without a vote) by the Commission on Human Rights to a sixth 4-year term (2004-2008) as a Sub-Commission titular expert.
- Ex officio* Member of the Advisory Group of the UN Voluntary Fund for the International Decade of Indigenous People.
- Member of the Sub-Commission Working Groups on Communications and on Indigenous Populations.
- 2005 : -Cuba's Ministry of Higher Education awards him the Special Academic Recognition as Professor Emeritus.
- Member of the Sub-Commission Working Groups on Communications and on Indigenous Populations.
- Re-elected (by acclamation) as the Chairman/Rapporteur of the Sub-Commission's Working Group on Indigenous Populations.
- 2006 : -Member (as Special Adviser) of the Cuban Delegation to the first session of the recently-established Human Rights Council
- Member of the Sub-Commission Working Groups on Communications and on Indigenous Populations.
- 2007- : -Member (as Special Adviser) of the Cuban Delegation to the first session of the Human Rights Council.
- Co-opted by the Executive Board of the Cuban Society of International Law (CSIL) as the Society's Acting President.
- Member of the Sub-Commission Working Groups on Communications and on Indigenous Populations.

Has taken specialized graduate courses in International Law and International Relations, respectively, at the Patrice Lumumba University (Moscow, 1983), and the International Institute of Public Administration (IIAP) (Paris, 1984).

Has represented the Government of Cuba in many international conferences and meetings of various bodies, mainly within the United Nations system, among them, the following:

--Delegate to 16 sessions of the Commission on Human Rights; *i.e.* at its thirty-second, thirty-third, forty-fifth to forty-ninth, and fifty-second to sixty-first sessions during the period 1976 – 2005.

--Delegate to the first and fourth sessions of the Human Rights Council (HRC), and participant in a number of rounds of consultations held in Geneva and Lausanne in 2006 and 2007 on the process of the Council's "institutional building" and the establishment of its operational dynamics as a new UN body.

--Delegate to the Third Committee (Social, Humanitarian and Cultural Affairs) of the United Nations General Assembly in its twenty-seventh to thirty-second sessions (1972-1977). Vice-Chairman of the Committee in 1976.

--Delegate to the Regional Conference of the Red Cross (Mexico City, 1971).

--Delegate to the first and second sessions (1974, 1975) of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law, convened for the drafting of the two Protocols Additional to the 1949 Geneva Conventions.

--Delegate to the forty-ninth and fifty-sixth to sixtieth International Labour Conferences of the International Labour Organization (1964 and 1971-1975), and

--Delegate to the Sixth Committee (Juridical Affairs) of the General Assembly at its eighteenth to twentieth sessions (1963-1965).

Has also represented Cuba on the United Nations Security Council (1965), in several sessions of the Economic and Social Council and in various subsidiary and *ad hoc* bodies of both the Council and the General Assembly; as well as in meetings convened by UNESCO, FAO, GATT, UNIDO and the World Tourism Organization.

Has also participated, in a personal capacity, in many meetings on human rights and other topics related to international law, sponsored by the United Nations, as well as by the International Committee of the Red Cross, the Permanent Court of Arbitration and a large number of other non-governmental organizations; *i.a.* the International Commission of Jurists, the Latin American Studies Association (LASA), the American Association of Jurists, the Association of Universities and Research Institutes of the Caribbean, the Stanley Foundation (USA), the Europe-Third World Centre (CETIM), the Inter-American Institute on Human Rights (IIHR), the Anti-Slavery Society, the International Association of Democratic Lawyers, the Centre for Studies on Africa and the Middle East (Havana), the International Association of Democratic Jurists, the Rigoberta Menchú Tum Foundation, and the Indigenous Bar Association (Canada). Is the author of several papers submitted for the consideration of some of the above-mentioned meetings.

Has lectured at, or submitted papers for, discussion to a number of scientific gatherings sponsored by the universities of Havana, Harvard, Uppsala (Sweden), British Columbia (Canada), *Autónoma de México*, Essex (United Kingdom), Stockholm, Humboldt (German Democratic Republic), Simon Fraser (Vancouver, Canada), Johns Hopkins (USA) Gothenburg (Sweden), *Internacional de Andalucía* (Seville), Patrice Lumumba (Moscow), Dalhousie (Halifax, Canada), Lund – Raoul Wallenberg Institute (Sweden) and Thessaloniki – Institute of International Public Law and International Relations (Greece).

Founding member of the National Union of Jurists of Cuba and of the Cuban Society of International Law (CSIL). Since 1997, a member of its Executive Board, which in June 2002 awarded him the distinction of Member of Honor. In February 2007 he was co-opted by the Board as acting President of CSIL. Some of his works have appeared in Cuban publications, of both specialized and general interest.

Married. Four children.