



**PERMANENT MISSION OF THE REPUBLIC OF COSTA RICA
TO THE UNITED NATIONS**

Statement by H.E.

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General Debate
Sixtieth session of the General Assembly
of the United Nations

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New York
Septiembre 22nd, 2005

Mr. President,

Allow me, in the first place, to congratulate you for your well deserved election to preside over the work of this sixtieth session of the General Assembly. The session that you are chairing is unusual due to its scope and importance, particularly in view of the unfinished mandates and unfulfilled hopes of the 2005 Summit.

We cannot conceal our dissatisfaction with the Summit's outcome. In some areas, such as development and human rights, the outcome document reflects less than the International Community's minimum common denominator. In others, such as disarmament and impunity, the final document is a real step back. We must not, however, set aside our commitment to the reform of the United Nations.

In order to ensure the success of the next round of negotiations, we must avoid past mistakes. The General Assembly must set realistic goals, avoiding the unachievable. We must not accept artificial deadlines, which put unnecessary pressure on the negotiation, and we must not lose ourselves in secondary issues. The negotiation process must be open, inclusive and transparent, so that all States are free to participate and contribute actively. We must not cede to the temptation of creating closed negotiating bodies that reach private, non-transparent deals. We must prevent small groups of States from imposing national ambitions on the rest of the International Community. It is indispensable for the Secretariat to be perfectly impartial. Finally, it is necessary to keep open the possibility of making decisions through democratic means, in conformity with the rules of procedure.

These principles must be taken into account when considering, in particular, the possible reform of the Security Council. The last few months, we devoted a disproportionate amount of time and effort to the question of Security Council reform, in detriment of other equally important topics. During this session, we must give equal emphasis to the Human Rights Council, the Peace-building Commission, the Comprehensive Convention on Terrorism, and the reform of the Security Council. We deem necessary to revitalize the Ad Hoc Working Group on Security Council Reform with the view to formulate, jointly, a consensus solution.

We reaffirm our commitment to Security Council reform to make it more democratic, more transparent and more effective, on the basis of the principles of sovereign equality, rotation, periodic elections and accountability. Therefore, we cannot accept the creation of new permanent members who, due to their own permanency, cannot be held accountable and who cannot be recalled if their performance is found to be unsatisfactory. We only favor an increase in the number of non-permanent members of the Security Council, giving them the possibility of being reelected.

In parallel, we support reforming the Security Council's working methods so that it will be more responsive to the requirements and needs of the great majority of Member States. It is indispensable to limit the undemocratic instrument of the veto which erodes the legitimacy and effectiveness of the Council. The right of veto is unacceptable, especially regarding cases of genocide, war crimes, crimes against humanity and massive violations of human rights. Regrettably, the proposal to eliminate the right of veto in those cases was not included in the Summit's outcome. We believe that this question must be reconsidered, in the coming months, in the context of Security Council reform.

We should focus also on the accountability of the Security Council towards the broader membership. Insofar as the Security Council acts on behalf of all Member States, it should present special reports to the General Assembly, pursuant to article 24.3 of the Charter, each time that it establishes or substantially modifies the mandate of a peacekeeping operation, each time that it imposes sanctions or other measures of general application pursuant to Chapter VII of the Charter, and each time that a draft resolution is vetoed. The General Assembly should consider these reports with a view to further action when necessary.

Furthermore, it is indispensable for the Security Council to adopt measures to ensure the full respect for human rights and, in particular, the right to due process of those persons listed by the sanctions committees. The work of the Security Council must be an example of the highest standards of human rights and due process.

On human rights, my delegation wholeheartedly supports all efforts to strengthen the international mechanisms for their promotion and protection. We support the idea of transforming the Commission on Human Rights into a Human Rights Council. We hoped that the outcome document would contain concrete provisions on the structure and mandate of the new Council. In their absence, we should devote the coming months to finalize the design of this new institution. We deem it necessary to ensure, in particular, that the composition of the new Council reflects an equitable geographical distribution and that its mandate favors a technical consideration of the issues, avoiding unnecessary politicization. It is also necessary to distinguish the mandate of the new Council from the work of the Third Committee.

We endorse the idea of increasing substantially the budget of the Office of the High Commissioner on Human Rights. We are keenly interested on the idea of submitting a single report to all the monitoring mechanisms established by the various human rights treaties. In order to protect those persons living with disabilities, we believe that it is necessary to conclude as soon as possible the Convention on the Rights of Peoples living with Disabilities.

In the coming months, the General Assembly should devote itself to the establishment of the Peace-building Commission. In our view, this new commission should be a subsidiary body of the General Assembly, maintaining an adequate functional

relationship with the Security Council. Its membership should be elected and it should be open to all States that contribute effectively to peace. We are therefore against the Permanent Members of the Security Council automatically becoming members of this new commission. Such an unjustifiable privilege would be an additional example of the cascade effect. Similarly, we are against extending the right of veto to the work of the new commission. We believe that it should apply the rules of procedure of the General Assembly in its decision making.

We are convinced that the United Nations should play an important role in the efforts to fight international terrorism. Pursuant to the Summit's outcome, in the coming months, the General Assembly shall design a comprehensive strategy against terrorism and it shall adopt concrete measures to strengthen and increase the coordination of this Organization's efforts against terrorism. In this context, we would like to reiterate the proposal made last year by H.E. Mr. Abel Pacheco de la Espriella, President of Costa Rica, of creating a UN High Commissioner on Terrorism, as an independent, professional and permanent mechanism, at the center of the Secretariat, to ensure greater coordination and better use of the resources available at the global level to fight terrorism.

In addition, we support the conclusion of the Comprehensive Convention on International Terrorism by the end of this year. That draft convention already contains a technical and precise definition of the crime of terrorism, that will enhance judicial and police cooperation on the basis of the principle "prosecute or extradite".

We highlight the importance of law and justice in International Relations, and therefore, we reaffirm our confidence in the International Court of Justice as the best mechanism for the peaceful solution of controversies. Thus, we would like to urge all nations to accept, without conditions, the jurisdiction of the Court. Furthermore, we call upon all States that have made reservations to their declarations of acceptance of the jurisdiction of the Court to withdraw them.

We reaffirm our support to the International Criminal Court as an indispensable mechanism to prevent and punish the most serious crimes against mankind. We are particularly pleased by the fact that the delegation of Costa Rica will assume the presidency of the Assembly of State Parties of the Rome Statute.

This year's negotiations on disarmament and non-proliferation have rendered unsatisfactory results. We believe, in particular, that the General Assembly should devote itself to prepare the Review Conference of the UN Plan of Action to prevent, combat and eradicate the illicit traffic of small arms and light weapons, which will be held in mid 2006. That conference should incorporate, in the Plan of Action, a human rights perspective and the 6 global principles of the Draft Arms Trade Treaty.

Regarding development, we reiterate our call to fulfill the Millennium Development Goals. We urge developed countries to fulfill their commitments to allocate

a 0.7 % of their gross national income as development assistance and to eliminate all barriers and subsidies that have a negative impact on the exports of developing countries. We should adopt measures to strengthen prevention and assistance in case of natural disasters. In this context, I would like to recall that the Sachs report identified Central America and the Caribbean as the region with the highest vulnerability to natural disasters.

Similarly, it is indispensable to bear in mind the relevance of environmentally sustainable development. In this context, I would like to highlight the initiative to create a "Rainforest Coalition," led by Costa Rica and Papua New Guinea, with the view to protect all forests and to ensure payment for the environmental services that they provide. We must recall that tropical forest benefit mankind as a whole by sequestering the carbon dioxide produced by industry. Unfortunately, the Kyoto protocol does not provide incentives for developing nations to protect primary tropical forests. We believe that it is necessary to correct this omission of the Kyoto Protocol.

Regarding management, and with the view of safeguarding the unique legitimacy of this Organization, we consider it indispensable to strengthen this Organization's monitoring and inspection mechanisms and we request the General Assembly to consider in depth the recommendations of the Volker report. It is necessary to face – with absolute transparency - the cases of mismanagement and alleged corruption that have surfaced within the Organization in recent months.

We believe that the General Assembly should seriously consider the question of the representation of the Republic of China (Taiwan) in the United Nations. Unquestionably, the Republic of China (Taiwan) could contribute to the work of this Organization. Incorporating the Republic of China (Taiwan) in the community of nations is also necessary so that it could assume fully the rights and duties that arise from the various legal regimes of global governance in areas as varied as collective security, development assistance, the fight against terrorism, sustainable development and the international health mechanisms.

Mr. President,

I would like to conclude by reiterating Costa Rica's unconditional commitment to the principles and purposes of this Organization, reaffirming our faith in the United Nations as the International Community's main instrument to maintain peace, and renewing our full confidence in this Organization's capacity to promote human rights and wellbeing for all peoples.

Thank you