



Misión Permanente de Costa Rica ante las Naciones Unidas
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**Statement during the Informal Consultations on the
Report of the High Level Panel
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Mr. President,

Let me congratulate you for your farsighted initiative to convene these consultations on the High Level Panel report on Threats, Challenges and Change. This is an invaluable opportunity for delegations to respond constructively to the recommendations of the Panel and, thus, to give some inputs to the Secretary General in the preparation of his March report.

My delegation fully associates itself with the statement delivered last Thursday by the distinguished Permanent Representative of Jamaica on behalf of the G-77 and China.

Mr. President,

My delegation welcomes the Panel's bold approach to some of the most difficult challenges that the international community must tackle. In reflecting on the Panel's many recommendations, we feel it is necessary to single out some issues that, because they seem to be **actionable and deliverable**, can provide the United Nations with the additional mandates and operational resources to ensure our collective security in a manner that is credible, equitable, and sustainable.

Unquestionably, we can endorse many of the Panel's recommendations. Nonetheless, I must note that the report failed to address some very important issues while it addressed others with particular biases. We are convinced that these consultations will enable the Secretary General to correct those flaws.

Unfortunately, one issue that was not addressed by the Panel, and that goes to the heart of the credibility of the United Nations, are the **failures in internal oversight** and in addressing problems squarely and promptly. Both the Oil for Food Program and the cases of sexual exploitation, abuse, and corruption of minors in the United Nations Organization Mission in the Democratic Republic of Congo [MONUC], evidence the acute deficiencies of the system in terms of oversight. Although both situations are now, quite appropriately, under examination, by the Independent Inquiry Committee [IIC] and the Office of Internal Oversight Services [OIOS], those investigations came far too late, after years of mounting evidence of alleged irregularities and crimes. Moreover, the delays in taking action suggest that an organizational culture of secrecy and impunity pervades some sectors of the Secretariat.

We, the Member States and the Secretariat, must address, promptly, openly, and squarely, this serious problem, demanding full accountability whenever the prestige of our Organization is placed in risk. We urge the Secretary General to make, in his March report, concrete recommendations to improve the oversight system and to ensure the accountability of the UN and associated personnel for any criminal activity.

Mr. President,

It is regrettable that the High Level Panel considered most issues exclusively from the perspective of security, ignoring several of this Organization's essential goals and mandates. Such bias distorted, for instance, the Panel's approach to the issue of **development**. As already stated by India, development is required not for the sake of security but as an end in and of itself. Development must not be reduced to a means towards prevention, but as a means for the increased welfare of the hundreds of millions of people that have nothing but the hope that tomorrow will be better. Development in this sense transcends the Millennium Development Goals, for it refers to dignity and opportunity, and to the enjoyment of the many promises and joys that life can afford.

The Panel's **bias in favor of security** pervades the entire report. In addressing institutional reform, the Panel focused on the reform of the Security Council while it failed to recommend any institutional changes to enhance and revitalize the role of this Organization in the formulation and implementation of the development agenda. Unfortunately, the Millennium Project Report has a similar failing. Consequently, we are left with a conceptually biased approach to institutional reform that reinforces the subordination of development to prevention, to which I have already alluded to.

Moreover, while the Panel recognized that what we need are collective strategies, collective institutions, and a sense of collective responsibility, it chose paradoxically to empower the Security Council, an Organ of the most limited composition, which is not, by any stretch of imagination, the best representative of our collective will, without suggesting any meaningful reform to its agenda, working methods and decision-making process.

As to the **reform of the Security Council**, we do not rule out any model that adhere to the principles of democracy, equality of opportunity and accountability. In addition, any reform of the Security Council should encompass its procedure and working methods, to make it more transparent and democratic. I will not elaborate further as we believe that this matter should be comprehensively dealt with within the Open-Ended Working Group on Security Council Reform.

A similar bias is evident in the Panel's treatment of **international terrorism**. The Panel favors a coercive approach to terrorism encouraging further concentration of United Nations action on terrorism solely within the Security Council. We are convinced that an entirely different approach is warranted if we are truly to maximize the comparative advantages of the United Nations in facilitating and enforcing a collective, principled and comprehensive counter-terrorism strategy. We believe that the United Nations can make a more effective use of its comparative advantages, capacities, resources, and mandates for combating terrorism through the establishment of a **United Nations High Commissioner on Terrorism**. The creation of such an Organ would unify the mandates and the resources currently scattered around the Organization, avoiding duplication, and would centralize decision-making in the hands of a professional, permanent and impartial body located at the centre of the Organization.

We believe that the complex question of the definition of terrorism in the context of the draft comprehensive convention against terrorism should better be left to the expert body already mandated with its preparation. Such definition must not be a political statement but a technical framework limiting the scope of the convention that would be workable, from a legal point of view, in the very specific context of a police and judicial cooperation treaty regime.

Mr. President,

In order to be credible and equitable, any meaningful reform must lead to the **strengthening of the General Assembly** as the highest deliberative and policy-making organ of the United Nations. We all know what needs to be done. The Assembly requires greater focus and structure. We should strive for a shorter agenda and for reducing the number of repetitive resolution. We should spread the work of the main committees throughout the year. However, we should not alter the universal and democratic

character of the main committees. Let us agree on a bold agenda for streamlining and prioritizing the Assembly's agenda, enhancing its role, and for rescheduling and revitalizing its sessions.

My delegation is disappointed by the Panel's partial treatment of the issue of **disarmament**. The ultimate objective of general and complete disarmament is not even mentioned in the report. There are no recommendations on implementation of the already agreed to 13 practical steps contained in the final document of the NPT 2000 Review Conference. Similarly, the panel failed to address the question of vertical proliferation and it focused only on recipients of weapons technology and not on the supply side of proliferation. Scant attention was given, and no recommendations were provided, to reduce the flows and transfers of small and light weapons.

Human Rights are the third pillar of the United Nations, together with development and security. From this point of view, my delegation welcomes the recommendation to make the Commission on Human Rights universal and to upgrade it to the level of one of the principal organs of the United Nations. Only thus we will give those basic guarantees their rightful place within the Organization. However, if we are to upgrade the Commission as proposed, we should make certain that it meets in a place and at a time where all member states would be able to attend and to participate actively. Moreover, we should reduce or eliminate the agenda of the Third Committee to avoid unnecessary duplication.

In addition, we urge the Secretary General to include in his report the recommendation to replace the multiple reports to the various Human Rights treaty bodies by a single global report that will provide those monitoring bodies with a comprehensive view of each States' compliance with its human rights obligations.

In the same vein, we support the High Level Panel's approach to the doctrine of **responsibility to protect**, under the four very exacting preconditions mentioned by the Panel itself: that it be a measure of last resort, expressly authorized by the Security Council, in cases of massive violations to international humanitarian law or crimes against humanity, and regarding situations that the local government has proved unable or unwilling to prevent.

Furthermore, we believe that the 2005 Summit will provide member States with an opportunity to renew their commitment to respect their obligations under International Law and to observe the **Rule of Law** both at the national and international levels.

On the **use of force**, we welcome the Panel's recommendation that art. 51 of the Charter should not be rewritten. However, as some other delegations have done before, we must express our concern for the introduction of the concept of imminent threat. Such concept could be subject to various interpretations, creating a dangerous grey area on the possible use of force. We advocate for a strict textual interpretation of article 51.

Finally, we believe that the Secretary General should establish, along the lines of the Mexican proposal, a **permanent consultation mechanism** with the presidents of the main organs of the United Nations by inviting them to attend all the meeting of the Chief Executives Board of Coordination.

Mr. President,

We trust that the Report to be issued by the Secretary-General will provide us with a road-map that will enable us all to have a true sense of collective ownership in the decisions that will be adopted at the Summit 2005.

Thank you .