

**“INTERNATIONAL SEMINAR AND ROUNDTABLE”**

**“Steps toward a Nuclear Weapons Convention: Exploring and  
developing legal and political aspects””**

**Palais de Nations, Geneva Switzerland**

**November 13, 2008**

**Panel 4: “Political Aspects and Measures”**

**Speech:**

**THE NUCLEAR WEAPONS CONVENTION AND THE  
ABOLITION OF WAR-THE COSTA RICAN EXPERIENCE”**

**Guest Speaker:**

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Association of Lawyers Against Nuclear Arms”- (IALANA)-**

1).- Dear Mrs. Thompson, Ambassador of Costa Rica to the United Nations in Geneva, distinguished ambassadors, members of the panel, ladies and Gentlemens

2).- First of all I would like to commend the “Permanent Mission of Costa Rica to the United Nation in Geneva”, the “International Association of Lawyers Against Nuclear Arms”-(IALANA)-,the Simons Foundation and the “Parliamentarians for Nuclear Non Proliferation and Disarmament”-(PNND)- for the initiative to celebrate this Seminar. I like to thank them for invite me, to participate in this panel discussion and to speak about the “MODEL NUCLEAR WEAPONS CONVENTION, THE ABOLITION OF WAR AND THE COSTA RICAN EXPERIENCE TO ADVANCE NUCLEAR DISARMAMENT AND NON PROLIFERATION”.

POWER POINT No.1 3).- I would also like to thank all the participants, for joining together, in this effort to promote at the international level the “MODEL NUCLEAR WEAPONS CONVENTION” submitted by Costa Rica to the U.N. General Secretary in 1997; which explores the legal, technical and political elements for achieving and maintaining a nuclear free world, an follows the 1996 “INTERNATIONAL COURT OF JUSTICE CONSULTATIVE OPINION”, that concluded that: ”THERE EXISTS AN OBLIGATION TO PURSUE AND BRING TO A CONCLUSION, NEGOTIATIONS IN GOOD FAITH ON NUCLEAR DISARMAMENT IN ALL IT ASPECTS UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL”. The “MODEL NUCLEAR WEAPONS CONVENTION” also agreed with the nuclear weapons States declaration, during the 2000 NPT REVIEW CONFERENCE, by which all of them accepted an unconditional obligation to achieve nuclear disarmament, as it was declared in point 6 of the 13 disarmament steps which express:” AN UNEQUIVOCAL UNDERTAKING BY THE NUCLEAR WEAPONS STATES, TO ACOMPLISH

THE TOTAL ELIMINATION OF THEIR NUCLEAR ARSENALS, LEADING TO NUCLEAR DISARMAMENT TO WHICH ALL STATES ARE COMMITTED UNDER ARTICLE VI”

4).- I have strong faith, my christian god faith, yours god faith, that this Seminar will help us to create a shared understanding of the key principles of the nuclear disarmament as written in the “MODEL NUCLEAR WEAPONS CONVENTION”.

5).- This shared vision will empower us, to promote the ideals of the “MODEL NUCLEAR WEAPONS CONVENTION” to the whole world and achieve in a short period of time a nuclear disarmament treaty, as it was declared initially by the “U.N. Final Report of the Weapons of Mass Destruction Commission”, in 2006, -(POWER POINT No.2)- and more recently on October 24, 2008 by the U.N. Secretary General Ban Ki-moon’s, delivered in New York, in addresss to East –West Institute.- ( POWER POINT No.3)-

6).- Sixty three years ago, for the first time in the human history two atomic bombs were used on mankind and dropped from the sky above Hiroshima and Nagasaki. The atomic bombing of Hiroshima and Nagasaki, transformed our world and showed us how Hiroshima and Nagasaki became common place of death, and living became exception. Nobody in the whole world wants to have that kind of experience that made civilians the object of the attack using nuclear weapons that are incapable of distinguishing between civilians and military targets, and caused unnecessary suffering to the civilian survivals.

7).- The sadness produced by the atomic bombing, increase the traditional values of the people of my country, Costa Rica, which are base in the search for peace, abolition of army forces, abolition of war, protection of human rights,

protection of the environment and the practice of the democracy values, by the participation of all the Costa Rican citizens, in political issues that would affect the humankind in general.

8).- This is the reason why we the costarricans, strongly believes that States can strengthen the norm against nuclear weapons, through the “MODEL NUCLEAR WEAPONS CONVENTION”.

-(POWER POINT No.4)- 9).- In 1948 the Costa Rican people by the constitutional abolition of our army forces, reject the war and also reflect in the Costa Rica Political Constitution, the most three important values of the Costa Rican society: 1).- The abolition of war by the abolition of army forces. 2).- The search of peace and 3).- The protection of human rights.

10).- The 1948 Costa Rica abolition of army forces, was connected with the abolition of nuclear weapons and becomes to be the most important principle of the Costa Rica foreign affairs policy, in the way to protect human rights. This is the reason why Costa Rica, not only ratified in 1968 the Treaty of Tlatelolco, but also argued against nuclear weapons in the 1996 Consultative Opinion, before the INTERNATIONAL COURT OF JUSTICE, and submitted in 1997 to the United Nations General Assembly, a “Model Nuclear Weapons Convention” -(POWER POINT No.5)- which had been drafted by a consortium of lawyers, scientists and disarmament experts. The “Model Nuclear Weapons Convention”, structured somewhat like the Chemical Weapons Convention, explores the legal, technical and political requirements for the elimination of nuclear weapons. It also demonstrates the feasibility of nuclear disarmament and aims to stimulate governments to think about the plan for, and start negotiations for complete nuclear disarmament. It also helps us to determine the framework for a nuclear weapons free world.

-(POWER POINT No.6)- 11).- The Model “MODEL NUCLEAR WEAPONS CONVENTION” has been release by Costa Rica to the 2007 NPT Prep Com in Vienna, and the 2007 United Nations General Assembly. Likewise previously Costa Rica submitted together with Malaysia to the 2000 and 2005 NPT a working paper regarding the MODEL NUCLEAR WEAPONS CONVENTION. All of this efforts had the intention that all the States will take advantage of this, to strengthen their efforts to commence negotiations leading to complete nuclear disarmament, and also to extend the exploration and development of the legal, technical and political elements required for a nuclear weapons free world.-

12).- We all understand that the creation of the UN in 1945 marked a turning point in history, where all nations came together to renounce war. This was a step toward peace, but this step did not envision a holistic understanding of peace that is necessary in order to build and sustain a peaceful world. = (POWER POINT No.7)- I understand that Peace is not simply the rejection of war or the absence of war or the abolition of army forces. To be in peace, many, values must be integrated, including human rights protection, environmental protection, participation in democracy, promotion of human rights and civil rights, education, sustainable development, and equal opportunities for everyone to enjoy life, and to develop economically, spiritually, and creatively.

13).- When we achieve these principles, we will obtain peace. If we are in peace in our local communities, then we do not feel or believe that it is necessary to participate in war, and have army forces and nuclear weapons. Instead we will be motivated to spread this peace to the region, and then to the world.

14).- The above mentioned principles conform the spirit of peace and abolition of war in “Article 12 of the Costa Rica Constitution”, in force since 1948, which is not limited to the abolition of armed forces; because as we have seen, some countries have already abolished their armed forces, but this act alone is not enough. To be successful and sustainable, the renouncement of war and abolition of armed forces and nuclear weapons must integrate the many values of a holistic vision of peace as previously described.

15).- In my country, Costa Rica, the long-standing philosophies regarding the importance of connections between human rights, peace education, environmental protection, democracy, sustainable development, and equal opportunities for all people, are fundamentally tied to the principles underlying the abolition of the armed forces, abolition of war, and consequently abolition of nuclear weapons.

16).- All these factors are linked. In 1948, these values were revitalized among the Costa Rican society, resulting in the constitutional abolition of armed forces, and to result in reject nuclear weapons and the policy of nuclear deterrence.

-(POWER POINT No.8 )- 17).- The constitutional abolition of armed forces in 1949 allowed the Costa Rican civil society people to reclaim and express once again the values of peace that had been part of the Costa Rican perception of life for centuries, ever since the Spanish first arrived in 1502 to Costa Rica.

18).- Because the Spanish were cut off from communication with Spain, the colonists lived and worked together in a free and peaceful manner and developed a new culture and new systems and policies without pressure from the

powers in Spain. It is clear now that, not only was military force unnecessary, but the culture of the Costa Rican people was able to develop and evolve strong values incorporating elements of the vision of a holistic perception of peace, since 1821, when we get our independence of Spain.

-(POWER POINT No.9)- 19).- That Costa Rica was able to maintain its peaceful integrity within a region that has historically been embroiled in military conflicts, is truly inspirational, for this seminar purposes. It is a reflection of the long-standing values of the Costa Rican civil society. Furthermore, Costa Rica's policy on the abolition of armed forces and nuclear disarmament has persisted for nearly 60 years, in a region where most other States have drastically increased their military expenditures.

-(POWER POINT No.10)- 20).- For many years, and keeping in mind the intense regional conflicts, Costa Rica was under pressure to re-establish its armed forces. This was in 1980-1986 period, when Costa Rica was under a lot of pressure to let use Costa Rican territory to invade Nicaragua. Instead, Costa Rica chose to direct its efforts toward regional peace, declaring in 1984 the "Costa Rica Permanent Neutrality", and culminating in the signature of the "Central American Esquipulas Peace Agreement" that brought decades of bloodshed to an end.

21).- The unique perspective stemming from its abolition of armed forces sixty years previously, inspired Costa Rica's use of other, non-military means to maintain its national sovereignty always, empowering the country to spearhead the promotion of peace, abolition of army forces, abolition of nuclear weapons and protection of human rights at regional and universal level.

22).- Today still, this leadership continues in the advancement of regional peace. In the absence of armed forces, Costa Rica relies on the instruments of international law to pursue peaceful settlement of international disputes, and to promote cooperation and friendly relations among all countries and the abolition of nuclear weapons. -(POWER POINT No.11)- For this reason, the nation's Foreign Affairs policies are based on these principals, and it continually advances these principles at the international level.

23).- Costa Rican people has worked to maintain the key principles of Article 12 by abolishing armed forces in perpetuity, including the right to war and abolition of nuclear weapons and the policy of nuclear deterrence. The Costa Rican civil society principles involves the rejection of war, abolition of army forces, declaration of neutrality, commitment to friendly relations among countries, protection of human rights, and respect for the sovereignty of other countries. Instead, we have always used International Law and the Pacific Settlement of Disputes to resolve international conflicts. Moreover, the culture of Costa Rican people incorporates the belief that the prevention of conflict is preferable to employing a confrontational approach, to disputes among nations.

24).- Article 12 of the Costa Rican Constitution sets an example for the world, proving that it is possible for states to exist peacefully without maintaining armed forces and mass destruction weapons, and that our civil societies has the power to influence the path to peaceful coexistence, and peaceful settlement of disputes, using the international law instruments without resorting to military actions or the deterrence provides by weapons of mass destruction.

25).- Ladies and gentlemen, this year is the 63 anniversary of the nuclear bombing of Hiroshima and Nagasaki, the founding of the United Nations, the 41 anniversary of Treaty of Tlatelolco and the 60 anniversary of abolition of the army

forces in Costa Rica. Let us use those occasions to heed the cry of the Hibakusha -the nuclear survivors-; to honor the very first resolution of the United Nations General Assembly –(adopted in London in 1946, called for the elimination of mass destruction weapons)-to use our collective vision and energies to abolish and eliminate these devices of terror and mass extermination from the planet and by the celebration of the 60 anniversary of the abolition of the army forces in Costa Rica, promote the nuclear disarmament and non proliferation through the “MODEL NUCLEAR WEAPONS CONVENTION”.

26).- With faith, the combined power and influence, of civil society and governments, will make the vision of an world free of nuclear weapons successfully.

27).- This seminar is our inspiration and motivation, to make our common vision a reality for the future. Let's take the challenge and work together, to promote at the national and international level, the “MODEL NUCLEAR WEAPONS CONVENTION”. Let's have faith, we can do it, and let's start now.

Thank you very much.