

# Costa Rica



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Intervención en la Conferencia de Examen del Tratado de No Proliferación Nuclear del 2015  
**Debate general**

*Juan Carlos Mendoza, Embajador, Representante Permanente*  
69 Asamblea General de la ONU, Nueva York, 29 de abril, 2015

Statement at the 2015 Review Conference of the Non Proliferation Treaty  
**General Debate**

*Juan Carlos Mendoza, Ambassador, Permanent Representative*  
69<sup>th</sup> session of the UN General Assembly, New York, 29 April, 2015

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*Cotejar con la alocución – Check against delivery*

Madame President,  
Excellences,  
Distinguished Delegates,

Costa Rica wishes to congratulate you on your appointment as President of the 2015 Review Conference of the Nuclear Non-Proliferation Treaty (NPT). My delegation reiterates its commitment to work constructively to ensure the success of this meeting.

We celebrate this Review Conference at a historic juncture that represents a genuine turning point. As we remember with great sorrow and sadness the nuclear catastrophes of Hiroshima and Nagasaki, we also do not forget the commitment of "never again" to genocide that we uttered at the end of the Second World War. These "never again" moments are too often pushed aside by the international community, in part because we have not yet found concrete solutions to situations that are equally unacceptable and intolerable.

In a few months, we will meet once more to negotiate new Sustainable Development Goals, the Climate Summit, the International Conference on Financing for Development, as well as to commemorate the seventieth anniversary of the UN and the twentieth anniversary of the Beijing Declaration and Platform for Action, inter alia. All these events represent an unprecedented opportunity to reorient our countries along the path of inclusive, sustainable, resilient, and equitable development, in peace and with peace.

Therefore, this Review Conference must be more than a drop in the sea, rather quite the opposite. A successful outcome to this conference will directly affect the other two pillars on which this organization stands, pillars that we all need to maintain our still delicate balance towards peace and prosperity. We cannot be content with small measures. We cannot accept modest results or the status quo. We must act. If not now, when?

**Costa Rica comes to this meeting with a clear premise: human security, democracy and international law all require nuclear disarmament.**

**Human security should replace the traditional paradigm of States security;** an outdated paradigm that maintains 16 thousand nuclear warheads in the world, many of which are on high alert status and susceptible even to cyber attacks.

Human security as defined by the UN, "is not about transcending or marginalizing the State, but is about ensuring that States protect their people".

**Thus collective human security and the well being of our citizens must be placed at the center of policy making.** At this center peace and security must be seen as a "global public good". This 'good' is not obtained by multiplying and modernizing nuclear weapons; nor it is achieved by unilateral or bilateral reductions that are not verifiable, transparent, and not under the watchful eye of the International Atomic Energy Agency (IAEA). Nor it is obtained by delaying the Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

Rather this global public good is obtained by preventing horizontal and vertical proliferation of weapons of mass destruction and by insisting on compliance with "all" the obligations arising from relevant treaties, and not just "some." This 'good' requires us to implement our disarmament commitments under Article VI of the NPT made at the 1995, 2000 and 2010 Review Conferences, and, in particular, steps 6, 8, and 9 of the 2000 Outcome Document and Action 5 of Action Plan of 2010.

**Peace and security as a "global public good" comes in part from honoring the Charter of the United Nations, especially Articles 10 and 26, compliance with which Costa Rica has advocated for decades.** In

short, Peace and security requires more than the control of weapons, but is also about addressing climate change, reducing inequality and eliminating poverty; these crises are the real enemies of States.

**Peace and security as a global public good is not built on force but rather on democracy.** The paralysis of the Conference on Disarmament, which is not representative of the total membership of this organization, has motivated many States, including my own, and so many thousands of people from civil society organizations, universities, think tanks and parliaments, to demand concrete actions in order to initiate negotiations on a Fissile Material cut-off Treaty as well as movement on a legally binding instrument that would prohibit the development, production, storage, possession, transfer, deployment and use of nuclear weapons. These calls grow stronger by the hour.

**Oslo, Nayarit, and Vienna are living examples that democracy has come to nuclear disarmament.** The discussions about the humanitarian impact of nuclear weapons and their catastrophic consequences have created real momentum in the international community to find ways to rid the world once and for all of this needless weapon.

Furthermore, the successful experience of the Open-Ended Working Group to advance negotiations on nuclear disarmament (OEWG), which my country had the honor of presiding in Geneva in 2013, is further proof of this momentum. Their results represent a balance between different positions on nuclear disarmament and provide guidelines for multilateral negotiations. The high level of the debates and the constructive spirit in which States and civil society participated suggest that the international community can, in fact, come to agreement to begin negotiations on nuclear disarmament.

**This is where international law is called upon to play a leading role.** The threat or use of nuclear weapons violates international law and in particular the principles of international humanitarian law, as recognized by the International Court of Justice in its Advisory Opinion of 1996. These weapons do not respect the principle of proportionality nor the obligation to refrain from causing harm in an indiscriminate or needless manner. There is thus an unconditional obligation to achieve the complete elimination of these weapons.

Furthermore, in the past, the recognition of weapons with unacceptable humanitarian consequences, such as biological and chemical weapons, preceded their prohibition and eventual elimination. In 2007, Costa Rica, along with Malaysia, presented the Model Nuclear Weapons Convention, which was followed by other working papers on this issue to NPT Review Conferences. This convention could be negotiated as a stand-alone or as part of a package of agreements. One interim agreement of great potential value would be a universal, legally binding instrument on negative security assurances in order to build and strengthen mutual confidence between nuclear weapon States and non-nuclear weapon States.

In addition, in January of this year, during the CELAC Summit in Costa Rica, the 33 States that are members of the Community of Latin American and Caribbean States committed themselves at the highest political level to begin negotiations towards the prohibition and elimination of nuclear weapons through a legally binding treaty.

Also, during the Summit of Belén, the Heads of State Government of CELAC endorsed the "Austrian Pledge," which recognizes the existence of a "legal gap" in the international framework regulating nuclear weapons and called on all states to join in efforts to fill this legal gap by pursuing measures that would stigmatize, prohibit and finally lead to the elimination of all nuclear weapons.

Costa Rica calls upon all States to endorse the Austrian Pledge and negotiate an instrument to ban nuclear weapons once and for all. Costa Rica is ready to participate fully in this process.

The time has come to look for a legal ban on the use, possession, stockpiling and development of nuclear weapons, even if Nuclear Weapon States are initially unwilling to participate in the negotiation process.

Madame President,

I conclude my remarks by calling the international community to muster the political will, leadership and sense of urgency that we require to rid the world of nuclear weapons.

**Costa Rica is convinced that no force can stop the steady march of those who believe in human security, democracy, and international law.** Peace and security is indeed a global public good that cannot rest on nuclear weapons reliance.

**The future is now.** States, all States, must honor their obligations and responsibilities toward others, because these obligations and responsibilities lie at the core of our multilateral system. Without this system, we are all lost.

**Let's work with enthusiasm, courage and optimism. The time is now!**

I thank you.