



# General Assembly

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## Seventy-fourth session

Agenda item 114 (c)

### **Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council**

#### **Note verbale dated 9 October 2019 from the Permanent Mission of Costa Rica to the United Nations addressed to the President of the General Assembly**

The Permanent Mission of the Republic of Costa Rica to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to refer to the candidature of the Republic of Costa Rica to the Human Rights Council for the term 2020–2022, at the elections to be held on 17 October 2019 in New York.

In accordance with General Assembly resolution [60/251](#), the Permanent Mission of the Republic of Costa Rica to the United Nations has the further honour to transmit herewith the voluntary pledges and commitments reaffirming that the promotion and protection of human rights are a priority of the foreign policy of the Republic of Costa Rica (see annex).

The Permanent Mission of the Republic of Costa Rica would be grateful if the present note and its annex could be circulated as a document of the General Assembly under agenda item 114 (c).



**Annex to the note verbale dated 9 October 2019 from the  
Permanent Mission of Costa Rica to the United Nations addressed  
to the President of the General Assembly**

[Original: Spanish]

**Candidature of Costa Rica to the Human Rights Council, 2020–2022**

**Voluntary pledges and commitments pursuant to  
General Assembly resolution [60/251](#)**

**Introduction**

1. Costa Rica is respectfully presenting its candidature for the Human Rights Council (2020–2022 period). In so doing, Costa Rica is reaffirming its calling and historic commitment to respecting, promoting and strengthening the universal system of human rights, placing the human individual at the centre of its action and seeking solidarity and cooperation among nations so as to promote the translation into action of rights nationally, regionally and internationally.

2. Costa Rica attaches great importance to the state and advancement of human rights in the surrounding region and in the world, and has therefore always considered the path of dialogue, international law and consensus-building as the way to promote its national interests and commitment to a sustainable development agenda. For the same reason, Costa Rica stands firmly behind the United Nations system and its multilateral architecture, adhering to the Charter of the United Nations, international law and international humanitarian law, and to respect for, and promotion and defence of, human rights.

3. In keeping with these principles, Costa Rica has demonstrated its willingness to work closely with the various mechanisms for the protection and monitoring of compliance with human rights, including the human rights treaty body system, as well as its commitment to and involvement in the processes that broaden the range of rights recognized and protected at the national and international levels, the defence of the rule of law in all areas, and the promotion of proposals at all levels of multilateralism. Costa Rica is developing and supporting initiatives that ensure assertion of the rights of people who are victims of violations, or who are in a position of vulnerability.

**A historic commitment constantly brought up to date**

4. Within the country, the historic commitment to respect, protection and promotion of human rights has been reflected in the design and operation of a State structure and legal framework whose avowed approach is one of guaranteeing rights, and of providing multiple prevention and protection mechanisms and institutions. It has also been reflected in momentous steps including the abolition of the death penalty and the provision of free and compulsory primary education, achieved since the nineteenth century; the abolition of the army as a permanent institution almost 71 years ago, and the constant dedication to preserving a healthy and ecologically balanced environment. That has been accompanied by the constant consolidation of a legal system that gives the international human rights instruments that Costa Rica has signed a force that equals or exceeds that of the country's Political Constitution.

5. The democratic political system guarantees civil and political rights and the opportunity to vote, to be elected and to participate in the conduct of public affairs. This system incorporates a dynamic civil society, including academia and a wide range of community organizations; worker, trade union, private and professional

organizations; and social movements. Civil society interacts with the State at different levels and is a vital part of its social fabric and the operation of its political system.

6. In Costa Rica, there is a separation of the three branches of the State (legislative, executive and judicial). In addition, an autonomous Supreme Electoral Tribunal has overseen the holding of free and transparent elections and ensured 16 peaceful and continuous transitions of power since 1953. Public policy efforts and legal mechanisms have strengthened women's political participation, leading to women representing 45.6 per cent of parliament, and, in 2018, to the country's first-ever cabinet with parity between men and women. Effort is still needed to promote parity in the private sector.

7. The judiciary, which includes a court of constitutional jurisdiction, offers effective and easily accessible remedies to guarantee human rights, through petitions for the protection of constitutional rights (*amparo*) or through constitutional challenges, which can be used by anyone. The State has also created and promoted participatory and free mechanisms relating to access to justice, to remedies and to the enforceability of rights. The Office of the Ombudsman, a national human rights institution in full conformity with the Paris Principles, has full autonomy and functional independence, ensures that the public sector respects and protects the human rights of the population, and is part of a system of checks and balances that strengthens the administration of justice and gives greater dynamism and progressiveness to the system of respect for and protection of human rights at internal level.

8. Costa Rica has allocated significant and sustained public investment to giving effect to, promoting and respecting human rights, including economic, social, cultural and environmental rights, through public policies that seek to broaden the mechanism of respect and protection through the equitable distribution of the benefits of development. It provides constitutional recognition of the right of all its inhabitants to a healthy and ecologically balanced environment, an obligation that it continually seeks to satisfy. Costa Rica's high ranking on the Human Development Index, and in terms of health and education coverage and protection of nature, are a concrete expression of the results of its institutional framework and human-centred policies.

9. All States face permanent challenges that require joint effort to build a culture of peace and non-discrimination and to overcome development gaps. Costa Rica's unavoidable commitment to achieve the Sustainable Development Goals of the 2030 Agenda for Sustainable Development consists in overcoming poverty and inequality, and in increasing the participation in development and public and political life of populations that have traditionally suffered from discrimination and vulnerability.

### **Human Rights in the international context**

10. Costa Rica is a State party to the principal international and inter-American human rights instruments. The country was the first to sign and ratify the 1966 International Covenant on Civil and Political Rights and the 1966 International Covenant on Economic, Social and Cultural Rights.<sup>1</sup> It is party to nine human rights treaties, has ratified nine optional protocols and has accepted seven of the individual petitions procedures. Costa Rica has declared full openness to international scrutiny and maintains a standing invitation to the special procedures of the Human Rights Council to visit the country.

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<sup>1</sup> It is also a State party to the two Optional Protocols to the International Covenant on Civil and Political Rights and, since 2011, to the 2008 Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

11. Throughout its history, Costa Rica has had the honour of serving at various times as a member of the former Commission on Human Rights. During those periods, it has exercised important leadership in constructive initiatives such as human rights education. Costa Rica was one of the main advocates of the establishment of the office of a United Nations High Commissioner for Human Rights between the 1965 General Assembly and actual establishment in 1995. It also resolutely promoted the adoption of an Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

12. Costa Rica has defended the promotion of the recognition of and respect for human rights as a cross-cutting pillar in the work and decisions of the United Nations. During its most recent term as a non-permanent member of the Security Council (2008–2009), Costa Rica's efforts focused on promoting issues including the protection of civilians in armed conflict, safeguarding human rights while countering terrorism, combating impunity, and securing international justice. It has recently worked with determination to promote the strengthening of the United Nations human rights treaty body system, and to prepare for the 2020 human rights treaty body review process.

13. In addition, Costa Rica is organizing the preparatory conference for the twenty-fifth United Nations Conference on Climate Change, with an ambitious, novel and unconventional proposal that reflects the country's full commitment to combating the climate crisis and to making human rights an integral part of the national contributions to adaptation and mitigation in connection with this global threat to the most vulnerable people.

14. With regard to the inter-American human rights system, Costa Rica hosted the conference that adopted the American Convention on Human Rights (1969), was the first country to ratify it and was also the first to accept the jurisdiction of the Inter-American Court of Human Rights, which has its headquarters in Costa Rica; also based there are the Inter-American Institute of Human Rights and the University for Peace, the latter by agreement of the General Assembly of the United Nations in 1980.

15. Costa Rica has led and contributed to various regional processes to guarantee individuals' rights and full compliance with inter-American standards, through action including a request for an advisory opinion to the Inter-American Court of Human Rights on the interpretation and scope of the American Convention on Human Rights with respect to civil, political and property rights derived from sexual orientation and gender identity.

16. Costa Rica was also co-chair of the negotiation process that led to the adoption in 2018 of the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean ("Escazú Agreement"), the first treaty in the world to establish mechanisms for the protection and security of human rights defenders in environmental matters. It is the host of the October 2019 first meeting of the signatory countries. In 2018, it hosted a meeting of the group of experts on ageing and the rights of older persons. In 2019, it was the host of the fifth Latin American Sanitation Conference, at which the San José Declaration set out the will to advance towards the universalization of quality water and sanitation services, which are undoubtedly universal human rights in our times.

#### **Costa Rica in the Human Rights Council**

17. Costa Rica firmly believes in the role of the Human Rights Council in furthering constructive international dialogue and cooperation for the promotion and defence of human rights around the world, as one of the founding principles of the United Nations.

18. The Human Rights Council has made significant achievements since its establishment in 2006, and Costa Rica considers it essential to develop a systemic vision that promotes better connection between policy and institutional processes among all the various United Nations bodies, based on action guided by the principles of universality, impartiality, objectivity, non-selectivity, non-politicization and the cross-cutting nature of human rights and the mechanisms for their implementation.

19. Having supported the development of the universal periodic review as a fundamental instrument for linking the legal obligations of States with constructive intergovernmental dialogue on human rights, Costa Rica considers it of great importance for the Council to promote the development of national capacities with regard to respecting and promoting the enjoyment of all human rights. The Council should also help to develop early warning arrangements, encourage dialogue between the parties and assist countries in their efforts to improve their performance in this area.

20. Similarly, the Council of which we aspire to be a part has acquired the role of a forum to which the international community gravitates to develop effective responses to emerging issues or historic gaps, addressing issues including the human rights implications of emerging digital technologies (big data, social networks, artificial intelligence) and transboundary phenomena such as the climate crisis and the use of cyberspace. Looking towards the future, the Council must also reflect on its working methods in a way that enables it to remain a dynamic entity which copes appropriately and in a timely manner with its institutional mandate and with the new challenges facing humanity.

21. Costa Rica was a member of the Human Rights Council from 2012 to 2014, during which time it worked actively and decisively, always with an approach that was constructive and maintained permanent dialogue with all members of the Council. It contributed to the development of new areas of protection, in the fields of peace, the connection between human rights and climate change and the environment, and the strengthening of education on human rights, in order to build inclusive and peaceful societies, and promote a culture of prevention. Throughout the time that it has not been a member, as is the case at present, Costa Rica has played an active role in supporting the deliberations and work of the Council and its various bodies, including the deliberations and work connected with the special rapporteurs. The concerns of the Council have never been far from Costa Rica's consciousness. As we have pointed out, we see them as our calling.

22. Costa Rica has also worked unstintingly on the issue of abolition of the death penalty and on matters relating to combating xenophobia, racism and racial discrimination, the eradication of violence based on sexual orientation and the economic empowerment of women, and has participated actively and constructively in the discussions of the operation of the Human Rights Council.

### **Our commitments**

23. In pursuit of the objectives proposed for this period, and in order to reinforce the work already being carried out in the Council pursuant to General Assembly resolution [60/251](#), Costa Rica is making the following commitments:

#### *At national level*

(a) To continue the process of dialogue with our indigenous peoples through the implementation of the "General Mechanism for Consultation of Indigenous Peoples" which gives effect to the recognized right to free, prior and informed consultation to ensure participation of those peoples in decision-making regarding the issues that directly affect them; also, to continue the stage-by-stage implementation

of the “National Plan for the Recovery of Indigenous Territories of Costa Rica (Plan RTI) 2016–2022” with the aim of ending conflicts related to land tenure and the security of the country’s inhabitants.

(b) To implement the plan of action of the National Policy for a Society Free of Racism, Racial Discrimination and Xenophobia 2014–2025 and, within that framework, to continue implementing the National Integration Plan, whose action areas include “recognition of diversity”, with the aim of promoting the recognition of cultural diversity in pursuit of coexistence and social cohesion.

(c) To continue implementation of the administrative measures adopted to combat discrimination based on sexual orientation and gender identity and to recognize property rights, ensure non-discrimination in public institutions, and allow gender identity in public documents; also to continue the process of enabling legislation to be brought into conformity with the Advisory Opinion of the Inter-American Court of Human Rights on incompatibility with the Inter-American Convention on Human Rights (Pact of San José).

(d) To continue to promote Costa Rica’s commitment to the right of women and girls to a life free of violence, and to prevent, punish and eradicate violence against women, reduce the rates of femicide and violence against women, as well as to provide resources and access to justice for victims of violence.

(e) To conclude the process of ratification of the Escazú Agreement and guarantee the full and effective implementation of the right to access to environmental information, of public participation in environmental decision-making and of access to justice in environmental matters.

(f) As part of the mainstreaming of respect for human rights, and in the framework of its commitment to make its economy carbon-neutral by 2050, Costa Rica proposes to promote the use of cutting-edge technologies whose transformative potential can help to reduce carbon emissions, increase climate resilience and support the transition to a circular and inclusive economy, thus fostering a fair transition to meet the targets of the Sustainable Development Goals.

*At international level*

(a) As a full member of the Council, Costa Rica pledges to work to strengthen, defend and improve the functioning of the human rights pillar of the United Nations, including the Human Rights Council itself and the treaty bodies, as well as the international institutional structure to promote and protect human rights, and the mechanisms created by the Council for that purpose.

(b) It will continue its support to the Office of the United Nations High Commissioner for Human Rights and promote constructive dialogue between States and the Office in order to enhance cooperation and technical assistance as a means of improving national capacities to fulfil obligations to respect, promote and protect human rights.

(c) It will contribute to the process of dialogue and negotiation to ensure that the international architecture responds effectively and in a timely manner to emerging situations including the climate crisis; the protection of biodiversity and other global public assets; universal access to drinking water; renewable-energy generation; the impact of new technologies; and the human rights focus adopted in managing human mobility, be it that of refugees or migrants, placing particular emphasis on solidarity, cooperation, responsibility and shared burdens.

(d) It will play a constructive role in promoting mechanisms to protect the most vulnerable, with the human individual at the centre of State action and operating

on the principle of inclusion so as to leave no one behind. It will mainstream into its priorities the agenda of genuine equality between women and men, the rights of people of African descent, older persons and lesbian, gay, bisexual and transgender persons. It will also promote the enshrining of twenty-first century universal rights including the right to development and the right to peace, through the promotion and advancement of an education for, and culture of, peace and social development.

(e) Costa Rica will strengthen and improve the mechanisms created by the Human Rights Council itself, including the mandates of the special procedures, by participating in forums for dialogue aimed at improving working methods and communication with States, while maintaining its open invitation and collaboration with them.

(f) It will cooperate constructively within the universal periodic review mechanism. Costa Rica reiterates its voluntary commitment, announced during the presentation of its third national report, to draw up a plan of action for the implementation of the recommendations made; it also undertakes to draw up a mid-term report, which would be submitted in 2021, on the progress made in implementing the accepted recommendations.

(g) It will make wide-ranging efforts in favour of transparency and accountability, committing to submit in 2023 an accountability report to the General Assembly on the work and programme developed during the country's involvement in the Human Rights Council, under the principles of maximum public access and transparency, and making use of information and communications technology to ensure the quality and usefulness of the Council's annual report to the General Assembly, as well as for the consideration of Member States' observations during its review.

(h) It will create synergies and alliances with States, the United Nations system and other relevant actors for the immediate action of incoming members and the follow-up, at the end of the mandate, to the issues to which it has devoted its efforts.