

AGENDA ITEM 10 AND 44:

**REPORT OF THE SECRETARY-GENERAL
ON THE WORK OF THE ORGANIZATION**

AND

**FOLLOW-UP TO THE OUTCOME OF THE
MILLENNIUM SUMMIT**

STATEMENT

BY

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TO THE UNITED NATIONS**

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CHECK AGAINST DELIVERY

Mr. President

In presenting his report on the work of the Organization, the Secretary-General made a strong call for multilateralism. This might seem surprising before an audience that should epitomize the spirit of multilateralism. But indeed, while the international community rallied in a forceful and unprecedented manner to respond to the attacks of 11 September, the promise contained in our coming together quickly faded and was replaced by confrontation and unilateral action. To our mind, the rule of law has thus become a predominant theme over the past few months: This Organization - and the Security Council in particular - is challenged to live up to its role as the guardian of the rule of law, first and foremost by ensuring the legality of its own actions.

Mr. President

The ongoing controversy surrounding the International Criminal Court took on an unfortunate new dimension when the Security Council adopted its resolution 1422 this summer. We remain convinced that the functions and powers of the Security Council do not comprise the competence to alter or interpret international treaties and are concerned that such action outside the mandate given by the Charter could weaken the political credibility of the Council in the long run. Given that the Council acts on behalf of the entire membership and in light of the enormous challenges it is facing, legitimacy and thus political credibility of the Council are of the utmost importance. I would like to reiterate at this juncture that my Government remains fully committed to preserving the integrity of the Rome Statute as adopted at the Diplomatic Conference of 1998.

Mr. President

The international rule of law is in particular at stake when it comes to the use of armed force. While the discussions of the past few weeks have been cause for some concern, they still made one thing abundantly clear: The legitimacy provided by a decision of the Security Council is unique indeed, and this legitimacy is necessary to ensure that armed intervention, where inevitable, enjoys the support of the international community as a whole. Implementation, of course, is the other decisive element for credibility: Resolutions of the Council are legally binding on all Member States, and the implementation of all its decisions must be ensured. In this context, the use of armed force should only be considered as a last resort in cases where non-compliance clearly poses a threat to international peace and security.

Mr. President

Resolution 1373 of the Security Council is the central element of the quick and determined response of the United Nations to the threat posed by international terrorism. The work of the Counterterrorism Committee illustrates in many ways how the United Nations works at its best and how the rule of law is essential to guarantee human security. This same rule of law must also prevail in our dealing with individuals suspected of involvement in terrorist activities. Basic standards of human rights which constitute one of the great achievements of the United Nations have to be observed at all times. It would be a grave mistake to treat human rights, a "bedrock requirement for the Charter's vision", as a luxury which we can afford during good times and dispense with in times of crisis, created for example by international terrorism. Much rather, they constitute the foundation upon which our actions must be based.

Mr. President

My remarks so far have focused on the Security Council because its activities during the past year have had such a strong impact. But indeed, much of what I have said leads to conclude that this body, the General Assembly, has to play a stronger role. We are therefore satisfied to see that both the new reform proposals of the Secretary-General – an agenda for further change – and the priorities for your term in office, Mr. President, contain a call for a stronger General Assembly. The implementation of the Millennium Declaration offers an ideal opportunity to the General Assembly to assert its place as the only universal organ of the United Nations.

Mr. President

We hope that the United Nations is about to enter an era of implementation and application of the agreed standards and goals – many of which are a result of the major conferences of the past decade. We do feel the “summit fatigue” mentioned by the Secretary-General in his reform report. The standards are clear, ambitious goals have been set, and our work should now focus on implementation. The Millennium Development Goals must constitute the center of our efforts in the area of implementation. The roadmap given to us by the Secretary-General offers clear guidance for the implementation process which – after the conferences of Monterrey and Johannesburg which are complementary in many respects – must be tackled with renewed vigor and political will. We appreciate the overview on progress achieved given to us by the Secretary-General, in particular the emphasis placed on the two themes designated for this year, conflict prevention and the prevention of major diseases. On conflict prevention, it is not too surprising to note that the necessary change of mindset has not yet taken place and that political and material support for preventive efforts has not been very forthcoming. Since the change from response to prevention constitutes a true paradigm shift and given the

often elusive character of preventive efforts, it will only be after a learning process that prevention will take its rightful place – as foreseen in the Charter of the Organization. We continue to give our full political support to the efforts of the Secretary-General to create a culture of prevention.

Mr. President

In the area of fighting diseases, HIV/AIDS continues to be at the forefront of our concerns, and the information available does not indicate a reversal of trends since the adoption of the Declaration of Commitment last year. The Special Session HIV/AIDS is a good example of how the quick succession of major UN meetings can have a negative impact on follow-up and implementation activities. The Declaration of Commitment is a bold text and constitutes an efficient tool to combat the epidemic – if applied and implemented at the national and international level. We therefore hope that the General Assembly will devote special attention to the follow-up activities, especially since 2003 is the first target year of the Declaration. The Millennium Development Goals are visionary and subject to a lengthy process – we must ensure that our record on implementation is very soon more positive than “mixed, at best”.

Thank you, Mr. President.