

**SPEECH DELIVERED BY MR. AUGUSTO WILLEMSSEN-DIAZ
ON BEHALF OF THE HUMAN RIGHTS DIVISION OF THE UNITED NATIONS
AT THE NATIONAL THEATER OF COSTA RICA
ON MONDAY, SEPTEMBER 3, 1979, ON THE OCCASION OF THE INSTALLATION
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS.**

It is an honor for me to say these few words to you on behalf of the Division on Human Rights of the United Nations and its Director, Mr. Theo C. van Boven. As you are aware, this Division has been given the task of working worldwide on the multiple aspects of this subject, which is of the greatest importance to the United Nations.

The effectiveness of human right and of the fundamental liberties in the world of today has, in truth, become a universal concern.

One of the special characteristics of our times is the continuing adoption of international measures - decisive, versatile and all-encompassing measures- at the global or regional level. At the Division of Human Rights for which I work, we are convinced that the regional protection of human rights is a key element in the world-wide efforts aimed at the promotion and protection of the effectiveness of human rights and fundamental liberties for all mankind, within an atmosphere of true collaboration which ensures greater success. The international and regional structures devoted to the promotion and protection of such rights and liberties are constantly strengthening their relationships as complementary ways to serve the same cause, which is the defense of political liberty and social justice.

However, despite the obvious progress attained in drafting international human rights instruments enforceable regionally or universally and despite the undeniable advances in certain aspects of the struggle to make human rights and fundamental liberties effective, it is nevertheless also true that, in many countries, several of the institutions that have long been acclaimed are no longer carrying out the duties for which they were originally conceived, or else are not operating in the manner which had gradually and patiently been developed through many long years.

In effect, in the various regions of the world we find today situations which disclose systematic violations of human rights and fundamental liberties.

For some time now, some of these situations have, in one way or another, been under study by the international community, through global or regional organizations. Unfortunately, we are forced to admit that some of these situations occur in some American countries. A few of these situations have either stagnated or are deteriorating. Others, however, show a gradual improvement. There are even some countries which

have made a full turn towards a true re-establishment of rights and liberties or have evolved radically through drastic changes. Fortunately, in this respect, we can also mention some American nations.

A significant trait that appears to be common to these countries of the Western Hemisphere, however, is the growing awareness and determination of the people of such countries -and indeed, with the active participation of the most dispossessed sectors which, by tradition, have always been trod upon -in the defense of their rights and liberties through an every-growing variety of viewpoints which shows a healthy and vigorous activism.

Of highest importance in that vital struggle to make human rights and fundamental liberties truly effective is the existence of institutions which have the delicate task to determine the applicable law in a given case and, while so doing, to add an incalculable dimension to the scope and practical positivism of the pertinent provisions by giving them greater clarity through the development of a specific judicial doctrine. Naturally, this will be more fully achieved by a court with exclusive jurisdiction which would concentrate its actions within a substantially circumscribed area of jurisdiction and competence.

This is especially pertinent in the field of human rights and fundamental liberties, an area in which judgments must be given on matters of vital importance which often need urgent solutions, so as to provide persons and groups with the protection required for full enjoyment and effective exercise of such rights and liberties.

These are the essential functions entrusted to this high court of justice whose installation is celebrated today and whose importance has brought all of us here to Costa Rica.

It is, of course, highly significant that the permanent seat for this court should be in Central America, where the first International Court of Justice of our times was established: the Central American Court of Justice.

It is specially laudable that the Inter-American Court should be solemnly installed today here in Costa Rica, a country which has come to be considered by many to be a model within the area in the matter of protection of human rights. This is surely from which the Court will be able to strengthen its presence and carry out its important functions for the benefit of future generations within in the region and to develop better understanding and greater effectiveness of human rights throughout the world.

In closing, I wish to express to the judges of the Inter-American Court of Human Rights our warmest congratulations on their election to the high office which they hold, and to present our sincere wishes for the greatest success in their delicate and important functions.