

**SPEECH DELIVERED BY THE PRESIDENT OF THE REPUBLIC OF COSTA RICA,
LIC. RODRIGO CARAZO-ODIO, AT THE NATIONAL THEATER
OF COSTA RICA ON SEPTEMBER 3, 1979, AT THE INSTALLATION
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS**

Ladies and Gentlemen:

This is a historic day for the American continent. Today Costa Rica, the former seat of the Central American Court of Justice (the first international tribunal ever established in the history of mankind) witnesses the installation of an Inter-American Court of Justice, created by the American Convention on Human Rights (Pact of San José, Costa Rica, signed in this city in 1969) to protect the fundamental rights and liberties of the human being.

On this singular occasion, allow me to share in the joy which floods the hearts of all who justice and liberty; but let me also, once again, dwell on all that still remains to be done before we can truly protect the life, liberty and dignity of man.

It may appear to some that the social and legal development attained by mankind—as exemplified in so many important international declarations, such as the Universal Declaration of Human Rights, the International Covenants of 1966 and the American Convention—have carried the rights of man to a level of full expansion and have resulted in a technically acceptable statement; nevertheless, we have to admit that we still have a long way to go before we can declare ourselves satisfied.

I am not now referring to the widespread, repeated violations of those rights on the international level—and, unfortunately, in so many countries of our own Spanish America—but to the manifest perfectibility of the rules which have been laid down for their defense and protection, both in international documents and in the basic internal legislation of each individual country. Because man's potential for improvement and progress is never-ending, to the extent that when one believes one has reached one's goal, there is always room for further improvement.

This is most clearly seen when dealing with certain rights which have been recognized as such only recently and, particularly, when their exercise is conditioned to scientific and technological breakthroughs which come about at great speed.

One of the most important of these is the right of every human being to have access to adequate, objective information on what is happening in his milieu and in the world at large. Anyone deprived of this right on a regular basis, either through a lack of information or through biased, distorted or a lust for power by

certain sectors or groups, is certainly unable to have at his disposal the facts that will enable him to draw up his own conclusions regarding his environment and living conditions. Neither will he be able to form a judgment regarding his personal problems or those of his milieu, a judgment which would allow him to participate effectively in society. Any individual lacking adequate, objective information is prevented from achieving full human and social development.

Up to now, however, the important juridical instruments have not faced this right of every human being to be adequately informed, all the more important now that the huge boom in mass media communications has made it possible either to satisfy this need or deny it, or even to disguise it subtly. The only provisions to date have been aimed at safeguarding the right to provide information, a right that under present conditions is, by force of circumstances, reserved to companies wielding great economic power.

Even though its human interest content is of less importance than the right just discussed reference should also be made to the right to privacy, a right barely mentioned in many international declarations and often absent in domestic legislation.

The dignity of the human being cannot be truly recognized, nor can his personal values be effectively protected, without guidelines to safeguard the sanctuary of his private life. This is an aspect in which a determination to accord full respect to man himself can be most strongly seen.

In an area in which technical advances provide so many means for the violation of privacy in ways that leave the victim in ignorance of what he is being subjected to—consider, for instance, the use of minute, hidden electronic devices able to record sounds and images from a distance—the seriousness and importance of such invasions of privacy can reach unsuspected limits.

This gap between the legal demands required for harmonious relationships at national and international levels and reality could be considerably reduced by clear, progressive jurisprudence, such as will no doubt be produced by the erudite and learned tribunal which is today being inaugurated.

As Dr. Gerardo Trejos Salas, a Costa Rican jurist, has written, «Despite all the opposition, we are witnessing a progressive refining of legal institutions in general. International law does not escape this refining process, nor do matters related to the mechanisms for the protection of human rights. This situation brings discredit on all attempt to omit—either through fatigue or disappointment—efforts aimed at improving the institutions entrusted with protecting human rights. The opposite would be a suitable and healthy attitude. These situations must and can be improved.»

Honourable judges of the Court, you are now faced with the task of improving the institutions which come into being today.

Your task will not be limited to creating the necessary clarifying and progressive jurisprudence to which I made reference earlier, but, more immediately, to making up for the notorious procedural deficiencies contained in the American Convention by means of the Statutes and Regulations which you will begin to draft tomorrow. I would call your attention most particularly to the absence of any provisions regarding evidence and to the vagueness of the terms within which the bodies established by the Pact of San José should submit

their resolutions. However, I do not for a moment doubt that, with your insight and dedication to the cause of human rights, you will be able to fulfill all these requirements.

The establishment of the Inter-American Court of Human Rights is intimately linked to Costa Rica not only by conviction, but by action.

As I stated in my inaugural speech and in that of May 1st last year, our goal has always been to arrive at this day. Scarcely sixty days after the present Government initiated its administration, and after almost ten years of waiting, the Pact of San José was finally ratified.

Taking advantage of the ceremony for the signing of the bipartite agreement on the Panama Canal, it was possible to obtain the signatures of the three countries still lacking for the Inter-American Convention to come into effect. Later, Costa Rica, at our instigation and by agreement of the OAS, was chosen to be the seat of the Court which today begins its functions. This honor must be dedicated to those who, in the past and in the present, have devoted their efforts and talent to the strengthening of human rights.

The chief preoccupation which beset the authors of our independence was the attainment of peace and internal harmony among Costa Ricans. For them, peace was the condition and sustenance of the independence. All their efforts were aimed at strengthening that peace as a condition for liberty. From that moment on, peace became the life-blood, the fundamental philosophy and the inspiration of Costa Rica's international policy.

Our conception of peace, however, is not an absence of war. Rather, as we have often stated in various international forums, we see it as a dynamic action, a permanent conquest, as a laboratory of the spirit and an expression of the Costa Rican's most intimate being. Within this spiritual context, we have proposed to the world the creation of a University for Peace. The most important studies of this University would be those relating to human rights, and we have gathered the secular heritage of our forebears: respect for man, for the singular dignity of man and of mankind, the corner-stone of human rights for which our governments have fought unceasingly at every international gathering.

With this Christian and universal spirit, rooted in a devotion to peace and liberty, we today install the Inter-American Court, filled with pride at having been chosen the seat of such an august institution, arbiter and educator in the field of human rights.

We offer you our collaboration and purest declarations of support, for we know that we must keep ourselves worthy of this august Court which, while honoring past generations of Costa Ricans, at the same time stimulates and commits the present one.