



NEWSLETTER

October 2004

Permanent Mission of Romania to UNOG

Romanian positions on issues under debate in the UN Security Council

- 04.10.2004** Open debate of the UN Security Council on the situation in the Middle East
- 05.10.2004** Debates on the draft-resolution regarding the situation in the Middle East
- 06.10.2004** Open debate on "Justice and the Rule of Law: the United Nations Role"
- 08.10.2004** UN Security Council adopted of the resolution 1566 on "Threats to international peace and security caused by terrorist acts"
- 19.10.2004** Open debate of the UN Security Council on "Threats to international peace and security caused by terrorist acts"
- 26.10.2004** UN Security Council adopted the Resolution 1569 (2004), on the organization, between 18 - 19 November 2004, in Nairobi, a series of Security Council reunions, dedicated to the analysis of the situation in Sudan

On **4 October 2004**, during the **open debate of the UN Security Council on the situation in the Middle East**, the Permanent Representative of Romania in New York expressed its concern with the recent escalation of acts of violence in Israel and the Palestinian Territories and condemned the repeated attacks with rockets on Israeli civilian targets. He also underlined the fact that the Palestinian Authority must act decisively against the planners and perpetrators of all these terrorist acts, for which there cannot be any justification. At the same time, the State of Israel must exercise its inherent right of self-defense in strict compliance with the relevant norms of international law, which prohibits actions amounting to excessive use of force or collective punishment. He called on both Israelis and Palestinians to prevent escalation of the conflict and start implementing their obligations under the Road Map, in order to revive the prospects for peace.

The representative of Romania also said that fighting unequivocally terrorism and working towards effective dismantling of its infrastructure and capabilities should be the first step to be taken by the Palestinian Authority. Palestinians must end public incitement to violence and do their utmost to stop militants from attacking Israel and thus provoking its response. Any survey of the Israeli-Palestinian conflict would clearly show that the legitimate aspirations of the Palestinian people could not be fulfilled through violent means.

On the other hand, the Israeli Government should step up efforts to prepare the implementation of its proposed disengagement from Gaza, which must be full, complete and undertaken in a manner consistent with the Road Map. Moreover, the Israeli Government has to freeze settlement activities, take all possible steps to ease the humanitarian and economic situation of the Palestinian people and refrain from taking unilateral actions that could prejudice the final outcome of the negotiations.

On the **5 October 2004**, during the debates of the UN Security Council **on the draft-resolution regarding the situation in the Middle East**, the permanent representative, in his explanation of Romania's abstention, revealed that the text did not reflect amendments aimed at fairly describing facts with regard to the recent dramatic events and to their reciprocal obligations. Nor did the draft resolution incorporate amendments that would emphasize the responsibility of both parties - Israeli and Palestinian - in the latest dramatic developments, as well as their mutual obligations in preventing escalation of violence. There can be no solution through military means to the conflict in the Middle East. As stated before, a just, comprehensive and lasting peace can be achieved only through negotiations, as envisaged in the "Road Map" and in accordance with the provisions of the relevant resolutions of the Security Council.

On 6 October 2004, during the open debate on "Justice and the Rule of Law: the United Nations Role", the permanent representative of Romania in New York said that Romania has a more immediate understanding of the importance of justice and the rule of law in building a democratic society, as a country that has been dealing – and quite successfully so, judging by the annual Report delivered that very day by the European Commission – with the challenge of an accelerated political and economic transition. Romania strongly advocates the central role-played by the UN both as a promoter of the universal principles of justice and the Rule of Law and as an active participant to their concrete implementation. Embedding justice and rule of law components in the terms of reference for UN missions and assisting war-torn societies in putting in place adequate reforms in this respect should become a constant priority of UN activity. Nonetheless, real progress in achieving effective, genuine justice and rule of law largely depends on the local actors.

The fundamentals of justice and Rule of Law have to be alive and practiced at local level. Achieving national reconciliation has often proved one of the biggest challenges in the efforts of ensuring a lasting peace in conflict-shattered societies. It therefore makes sense to capitalize in such cases on the virtues of the general concept of transitional justice, with due account given to cultural specifics and traditions of countries and societies concerned.

The representative of Romania reiterated Romania's firm commitment to the goals and principles of the Rome Statute of the ICC and expressed the strong belief that the Court will provide effective means of bolstering the Rule of Law. He also underlined the fact that there is a proliferation of areas of non-law in the world. There are plenty of such "black holes" in the international legality of nowadays, and they stretch over most of the areas of our planet.

On **8 October 2004**, in his explanation of vote, the representative of Romania to the UN, after the **adoption of the resolution 1566 on "Threats to international peace and security caused by terrorist acts"**, underscored that the international

response, as a multilateral reaction to the terrorist threats, should comprise stronger, better articulated norms, procedures and mechanisms, including, in particular, at the level of the UN.

Romania **co-sponsored the draft and supported the unanimous adoption of resolution 1566 (2004).**

On **19 October 2004**, during the **open debate** of the UN Security Council on **“Threats to international peace and security caused by terrorist acts”**, the permanent representative of Romania to the UN in New York said that a significant number of timely and important initiatives in the fight against terrorism have been taken by the Security Council since Romania has become member of this body, at the beginning of this year. Romania was among the most active participants in fostering successive initiatives – the process of revitalizing the CTC, which culminated in the adoption of resolution 1535, the establishment of the 1540 Committee and, just recently, the adoption of resolution 1566. Romania supported the recent strong drive towards increased interaction between the subsidiary bodies of the Security Council established under resolutions 1267, 1373 and 1540.

As a consequence, new instruments are now available for the Security Council to deliver on expectations related to countering the terrorism threats. The concrete elements related to the future activity of the working group established pursuant to resolution 1566 are still to be discussed and agreed upon among Security Council members.

At the same time, strengthening cooperation and coordination among the “borderless” subsidiary bodies of the Security Council, namely CTC, Committees 1267 and 1540 – each of them dealing with specific aspects of the global fight against terrorism – is vitally essential for ensuring a coherent and proactive approach of the Council in combating terrorism. Romania welcomes the important steps taken already in this direction by the chairmen of the CTC and Committee 1267.

Romania hailed the unanimous **adoption, on 26 October 2004**, of the UN Security Council **Resolution 1569** (2004) which approved the organization, between 18 - 19 November, in Kenya’s capital Nairobi, a series of Security Council reunions, dedicated to the analysis of the Sudan situation. This will be the eleventh time the Security Council meets outside the United Nations headquarters in New York. The reunions in Nairobi are targeted at accelerating peace negotiations between the Sudanese government and the rebels in the South; they also reiterate the firm support of the Security Council regarding the settlement of the Darfur situation. Resolution 1569 (2004) authorizes the Security Council to approach the Sudanese issue with representatives of the African Union and Intergovernmental Authority for Development, as well as to use the opportunity of its presence in Nairobi to discuss other relevant issues from the perspective of peace efforts in the region.

To support the initiative, the Romanian permanent UN representative highlighted the exceptional relevance for Romania of the cooperation between UN and the regional organizations in their efforts for stability and support for the development of Sudan and other countries in the region.

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