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Chair: Mr. Biang (Gabon)

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The meeting was called to order at 10.15 a.m.

Agenda item 86: The rule of law at the national and international levels (*continued*) (A/73/253)

1. **Mr. Carrillo Gómez** (Paraguay) said that his country was committed to the rule of law and made every effort to ensure that its institutions respected faithfully the principles of justice, liberty and equality and the guaranteed rights of citizens under the rule of law. In Paraguay, international human rights treaties could be denounced only through procedures analogous to those applicable to a constitutional amendment. Legal certainty and an effective judiciary were fundamental pillars of the nation. For Paraguay, an independent judiciary was an essential element of the rule of law. His Government would therefore be reforming the judicial system in response to demands for action against corruption, inequality and impunity, providing indigenous communities with greater access to the justice system in the process.

2. In July 2018, Paraguay had submitted its first voluntary national report on its implementation of the 2030 Agenda for Sustainable Development. Through its national development plan for 2030, it had also oriented its public management towards consolidating its status as a State of solidarity that did not tolerate discrimination or corruption, by improving transparency and State oversight mechanisms. It had also initiated a programme to modernize and simplify bureaucratic formalities, base recruitment to the civil service on merit and ability and institutionalize a results-based model for public administration.

3. At the international level, Paraguay would continue to fulfil its commitments as a State Member of the United Nations committed to the principles of liberty, justice, national sovereignty and independence and integrity of States. The rule of law was a tool for strengthening political dialogue and cooperation in the search for peaceful solutions to international disputes and for combating impunity for the commission of international crimes.

4. The General Assembly, in which all Member States participated on an equal footing, should be at the centre of efforts by the international community to strengthen the rule of law. The Security Council must play a decisive role in strengthening the rule of law at the international level by faithfully complying with the objectives and principles of the Charter of the United Nations, which guaranteed the legitimacy, legality and proportionality of its resolutions. His delegation supported the reforms initiated by the Secretary-General in the management of the United Nations, which would

help promote the rule of law through greater transparency and accountability.

5. Over the past year, his Government had ratified the 1933 Montevideo Convention on the Rights and Duties of States and had also signed the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.

6. **Mr. Liu Yang** (China) said that the rule of law, an important hallmark of social progress, was a common aspiration of humankind. His Government was firmly engaged in advancing the rule of law across the board. There was no one-size-fits-all model for applying the rule of law, and States had the right to choose their own path to that end, under their own conditions, and to learn from each other on a voluntary basis in the process. In that connection, his Government had been working to establish a socialist rule-of-law system with Chinese characteristics and to build a socialist country governed by the rule of law.

7. At the international level, China stood firm in defending the international system with the United Nations at its core, advocating multilateralism and promoting respect for international law. The international landscape was changing profoundly, with unilateralism and protectionism raising their ugly heads. It was therefore all the more necessary for the international community to consolidate its consensus on multilateralism, defend international law and preserve the authority and role of the United Nations, with the Charter at its heart. The notion of a community of shared future for humankind proposed by China embodied the continuation and development of the spirit of the Charter and offered the best interpretation of multilateralism, and it was in line with the new values and new directions embodied in the rule of law at the international level. China was ready to work with all other stakeholders to make the international order more just and equitable.

8. The Belt and Road Initiative was the single greatest common good that China had offered to the world to date. It was aimed at translating into practice the notion of a community of shared future for humankind and promoting multilateralism. By adhering to the principles of broad-based consultations, joint contributions and shared benefits in pursuing the Initiative, China and all the partner countries involved had demonstrated their respect for the spirit and imperatives of the rule of law. In July 2018, China had co-hosted an international forum on rule-of-law cooperation in the context of the Initiative attended by more than 350 participants from Governments,

international and regional organizations, the private sector and academia.

9. As a next step, China would engage in comprehensive rule-of-law cooperation at different levels and through multiple channels. It would work to establish new mechanisms for cooperation, identify cooperation priorities through consultation, formulate plans of action and find effective solutions to legal problems, so as to consolidate the consensus and thereby lay a sound rule-of-law foundation for the Initiative. His Government was confident that, as the rule-of-law cooperation in the context of the Initiative deepened, it would become a meaningful example that other countries could draw on to put rule-of-law cooperation at the service of development.

10. China took note of the reference to the death penalty in the Secretary-General's report (A/73/253) and reiterated its position that the issue fell within the purview of each State's judicial sovereignty and that currently there was no consensus on the question in the international community. Each State had the right to decide whether to retain or abolish the death penalty, in the light of its own national conditions and the wishes of its people.

11. A sound rule-of-law system served the common interests of the international community. Out of respect for the purposes and principles of the Charter, China stood ready to work with the rest of the international community to preserve and improve the rule of law and to do its part in building an open, inclusive and clean world characterized by lasting peace, universal security and prosperity for all.

12. **Ms. Chernysheva** (Russian Federation) said that the choice of national models for the rule of law, including State governance and the structure of organs of State power was an internal matter and was inseparable from the principles of equality of States, State sovereignty and non-interference in the internal affairs of States. A comprehensive analysis of the cultural, historical, legal, religious and other particularities of the unique model of the rule of law specific to each State should be an essential step taken by the United Nations to strengthen the rule of law at the national level.

13. The United Nations should, however, focus on the international dimension of the rule of law. In that connection, it was important to have detailed information on mechanisms that enjoyed universal support, and her delegation regretted that the International Court of Justice was mentioned in the Secretary-General's report in the same way as the International Criminal Court, to which it was only very

indirectly related. Nor was it clear to her delegation why the report dealt with an illegitimate "mechanism" to investigate crimes in the Syrian Arab Republic which the General Assembly, exceeding its powers, had established in violation of the Charter. The Russian Federation reiterated its call to the Secretary-General and Member States not to provide any support for it whatsoever.

14. In the section of the report dealing with the national dimension of the rule of law, unnecessary attention was given to aspects such as the death penalty, the fight against corruption, terrorism, crime and peacekeeping operations, questions which had their place elsewhere; there was no added value in duplicating work on such topics in the Sixth Committee. To cite one example, the Rule of Law Unit wanted to play an active part in global drug control efforts, yet the competent body for doing so was the United Nations Office on Drugs and Crime, which was working effectively in Vienna and had an office at United Nations Headquarters. There was no point in having an additional structure on that front.

15. In the report, Member States were strongly encouraged to make use of tools such as handbooks dealing with human rights standards, the use of firearms in law enforcement and anti-corruption measures in prisons, in order to improve the effectiveness of work on the rule of law and security. Her delegation sought clarification about those initiatives, which in its view emanated from within the Secretariat and had not been approved by Member States.

16. The attempt to link the question of the rule of law to the implementation of the 2030 Agenda for Sustainable Development had not met with a consensus in the Sixth Committee, as clearly reflected in the debates at the seventy-second session. Nevertheless, the question was brought up again in the Secretary-General's report. The right of States to development and to receive technical assistance to that end, including from the United Nations, did not depend on compliance or non-compliance with any rule of law standards; for that reason, the Russian Federation was opposed to the discussion of such a subtopic in the Sixth Committee.

17. On the other hand, it would be useful to discuss how the rule of law could be enhanced by strengthening cooperation between the Committee and the International Law Commission. Such a discussion could help to ensure that extraneous issues were not included in the Committee's work on the current agenda item. The Russian Federation was prepared to work with all

interested parties in promoting the rule of law at the national and international levels.

18. **Mr. Tōnē** (Tonga) said that his delegation reaffirmed the instrumental role that the rule of law played in the implementation of the principles of the Charter through equal access to justice, good governance and transparency, which were crucial elements for fostering peace, sustainable development, gender equality, inclusive economic growth, environmental protection and the eradication of poverty. To promote access to justice for the country's most vulnerable groups, Tonga, with the assistance of Australia and Sweden through the Pacific Community, had established a community legal aid centre which provided free legal assistance to victims of domestic violence. The issue of equal access to justice might even be considered as a subtopic under the current agenda item, given its importance to the rule of law.

19. The codification and development of international law were vital to the promotion of the rule of law at the international level. Tonga welcomed the commencement of the intergovernmental conference on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, which the General Assembly had decided to convene under its resolution [72/249](#), with a view to concluding a robust and binding agreement by 2020.

20. Tonga also welcomed the decision by the International Law Commission at its seventieth session to include a topic entitled "Sea-level rise in relation to international law" in its long-term programme of work and looked forward to the Commission moving the topic to its active work programme. For a small island developing State like Tonga and coastal States generally, sea-level rise had implications for the sovereignty of States, but had yet to be addressed by international law in any meaningful way. A pronouncement by the Commission would help guide discussions in the Sixth Committee and decisions in the General Assembly.

21. Tonga welcomed the subtopics proposed in the Secretary-General's report, in particular implementation of the rule of law elements of the 2030 Agenda for Sustainable Development and sharing of best practices. Tonga was grateful for the support received from Australia, New Zealand, Sweden, the United Nations Development Programme, regional organizations and civil society and other development partners in its efforts to improve access to justice. Support projects were being implemented to strengthen the country's courts by improving their record management systems, enhancing their capacity to

handle family and juvenile cases, and assisting the police in mainstreaming gender and human rights policies.

22. **Mr. Meza-Cuadra** (Peru) said that his Government reaffirmed its commitment to multinationalism, the rule of law and democracy. In an increasingly interdependent world, the defence of an international rules-based order was essential if the international community was to deal effectively with the most serious threats to international peace and security. His Government acknowledged the decisive contribution of the United Nations to the promotion of a system grounded in the rule of law, the basis for peaceful and equitable relations between States.

23. As a current member of the Security Council, Peru continued to promote the peaceful settlement of disputes, in accordance with Chapter VI of the Charter. It stressed the importance of strengthening the capacity of the United Nations in preventive diplomacy and the early warning mechanisms required to that end, in compliance with Articles 1, 34 and 99 of the Charter. His Government was deeply concerned about the frequent violations of international law. International peace and security could not be maintained without respect for the rule of law.

24. With regard to international accountability mechanisms, Peru was paying close attention to the activities of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant. That attention reflected the importance that it attached to the need to exhaustively document alleged atrocities so that the perpetrators could be brought to justice.

25. Peru had repeatedly condemned the breakdown of the constitutional order in Venezuela and had expressed its concern at the grave human rights violations in that country. Having taken note of the findings of the panel of independent international experts of the Organization of American States and the report of the Office of the United Nations High Commissioner for Human Rights, on 27 September 2018, Peru together with five other States parties to the Rome Statute of the International Criminal Court had requested the Prosecutor of the Court to open an investigation into alleged crimes against humanity committed in Venezuela as of 12 February 2014.

26. Peru also condemned the acts of violence, repression and human rights violations committed in Nicaragua, as documented by the Inter-American Commission on Human Rights and the Office of the United Nations High Commissioner for Human Rights. Peru was a member of the Organization of American States working group on Nicaragua, which aimed to contribute to the search for peaceful and sustainable solutions to the situation in that country.

27. The strengthening of the rule of law at the national level called for a frontal attack against corruption, which was creeping into institutions and disrupting the administration of justice, eroding the citizen's trust in their Governments and, ultimately, democracy and the rule of law. Consequently, the fight against corruption was a priority for Peru.

28. His delegation considered it important for the Sixth Committee to select a subtopic for its debate at the seventy-fourth session of the General Assembly. In that connection, it would prefer two of the subtopics suggested in the report of the Secretary-General (A/73/253), namely "Enhancing the rule of law by strengthening the cooperation between the Sixth Committee of the General Assembly and the International Law Commission", and "Promoting accountability for serious crimes under international law at the domestic level".

29. Peru underscored its commitment to pluralist democracy based on the rule of law and respect for human rights, which was in line with the three pillars of the United Nations: peace and security, human rights and development.

30. **Mr. Gertze** (Namibia) said that, with the attainment of independence in 1990, Namibia had recognized the importance of the rule of law as a conduit for socioeconomic development and had adopted a Constitution in which the principles of the rule of law and respect for human rights were enshrined. The United Nations had worked closely with Namibia to implement those principles, including through the 2014–2018 United Nations Partnership Assistance Framework.

31. Under the institutional environment pillar of that Framework, the United Nations had been providing technical and capacity-building assistance and programme support for the formulation and implementation of policies and legislative frameworks to strengthen the rule of law in Namibia. That support helped ensure that Namibia complied with the international treaties which it had acceded to or ratified. Cognizant of the importance of its cooperation with the United Nations on promoting and strengthening the rule of law at the national level, on 27 April 2018, Namibia

had signed a new Assistance Framework, covering the period 2019–2023.

32. His delegation noted with concern the reference in the Secretary-General's report (A/73/253) to troubling global trends undermining the independence of the judiciary. To ensure the complete separation between the executive branch of government and the judiciary, in 2015 the Namibian Parliament had passed the Judiciary Act and had established the Office of the Judiciary, which was administratively and financially independent. With the evolution of information and communications technologies, Namibia had been implementing web-based electronic filing and case management systems, replacing cumbersome paper-centric structures and improving transparency and efficiency in the administration of justice. Namibia continued to examine global best practices to enhance its own e-justice system. It urged all Member States that had not yet established e-justice systems to consider doing so.

33. Legal certainty was central to the rule of law at the national and international levels. Member States must understand their rights and obligations under international treaties to exercise and fulfil them. The law must be transparent and predictable both at the international level and at the national level to ensure fair implementation. In the pursuit of legal certainty, States members of the African Union had decided to seek an advisory opinion from the International Court of Justice on the question of immunity of Heads of State regarding the relationship between articles 27 and 98 of the Rome Statute of the International Criminal Court and the obligations of States parties under international law. The current uncertainty had also affected non-States parties to the Rome Statute. Namibia urged Member States to support the adoption of a resolution by the General Assembly to refer the question to the Court for clarification.

34. **Mr. Mattar** (Egypt) said that his Government underscored the close link between sustainable development and the rule of law. Accountability and respect for the law at the national and international levels were the basic pillars on which safe and stable societies could be built. Considering the transboundary nature of corruption and the impunity and lack of accountability that it engendered, genuine political will, a zero-tolerance policy and effective measures were essential for preventing and combating the phenomenon in all its forms. To that end, Egypt had adopted a strategy for 2014–2018 based on the rule of law, greater transparency, separation of powers, good governance and respect for human rights, and had established a

partnership between the Government and society to tackle corruption.

35. National efforts to combat corruption would not be successful unless combined with bilateral and regional action. It was essential to strengthen international cooperation, above all, for the restitution of illicitly diverted assets and for overcoming legal or procedural complications and preventing the exploitation of legislation concerning bank secrecy and tax havens. Member States must follow diverted funds and take steps to prevent any funds of questionable origin from entering their territory. It was also important to speed up procedures for the return of such diverted assets. A strengthening of capacity-building was essential to the fight against corruption. The international community and the United Nations had an important role to play in that regard by enhancing bilateral, regional and international cooperation frameworks.

36. Egypt appreciated the Secretary-General's praiseworthy effort to promote and coordinate United Nations action on the rule of law. However, in his report (A/73/253), the Secretary-General had made an unacceptable reference to capital punishment, asserting that it was incompatible with the fundamental tenets of human rights. It was worth bearing in mind that respect for the laws of each sovereign State was one of the foundations of the rule of law. That reference in the report infringed on the sovereign right of States to adopt their own laws and was at variance with the provisions on capital punishment contained in the International Covenant on Civil and Political Rights. While appreciating the efforts of the Secretary-General, his delegation took issue with paragraph 80 of the report and cautioned the Secretary-General to refrain from making controversial statements on questions that exceeded the scope of his report and that were not in accordance with international human rights instruments.

37. **Mr. Simcock** (United States of America) said that in his report, the Secretary-General had identified several concerning trends, including the existence of significant political and security challenges around the world, many of which had eroded progress in accountability, transparency and the rule of law. One of the most deeply unsettling of the Secretary-General's findings was the global trend toward undermining the independence of the judiciary. Judicial institutions must be allowed to perform their work free from any interference, to apply applicable domestic legal frameworks, even when the decisions of a Government were at issue, and to conduct their work without fear of reprisal.

38. Equally worrying was the Secretary-General's reporting on corruption, which eroded trust in institutions, increased the imbalance between those with power and those without it, and went hand in hand with defiance of international norms. It was therefore only appropriate that the Security Council had recently convened a meeting dedicated exclusively to that issue. In post-conflict scenarios, the United Nations and other international actors faced the daunting challenge of providing assistance without inadvertently supporting the networks of corruption that might have contributed to the conflict in the first place. Unsurprisingly, in the preamble to the United Nations Convention against Corruption, the contracting parties drew a direct connection between corruption and erosion of the rule of law and highlighted the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethics and justice, and jeopardizing sustainable development and the rule of law.

39. On the other hand, his delegation recognized that the report also contained some encouraging information. For instance, it welcomed the observation that the number of female judges in Afghanistan had doubled since 2014; it also commended United Nations efforts in El Salvador, where reports indicated that the Organization's support for community security had contributed to a significant decline in homicides. In Jordan, Kyrgyzstan and Timor-Leste, the legal clinics of the United Nations had provided meaningful assistance to many in great need.

40. His delegation hoped that the Sixth Committee would be able to reach a consensus at the current session on a subtopic for the seventy-fourth session. The past practice of selecting subtopics could lead to more focused and productive debates on the rule of law. There was an implicit understanding in the Committee that, at its best, legal discourse was a substitute for more dangerous ways of approaching problems. That same understanding was fundamental to preserving the rule of law and consequently the rules-based international legal order.

41. **Ms. Gebremedhin** (Eritrea) said that the purposes and principles of the Charter and the principles of international law were of paramount importance for peace and security, the rule of law, economic development and social progress. Respect for the principles of sovereignty, territorial integrity and non-interference in the internal affairs of States would help to establish a just, secure and peaceful world order.

42. Her Government had signed and ratified more than 100 international conventions and instruments, a

number of which were reflected in the country's new Criminal Code and Civil Code, and had drafted a working document on the implementation of international and regional instruments to which Eritrea was a party. Strengthening the rule of law at the national level was critical for social and economic progress, political stability and promotion and protection of human rights. The enhancement of the capacity of the national justice system to promote the rule of law was a key component of her Government's development policy. Eritrea had taken numerous measures to establish a peaceful and inclusive society by establishing a comprehensive and effective justice system. Access to and participation in the justice system had been enhanced through the establishment of community courts, with judges being elected by the community every two years; one candidate in each election must be a woman. The election of female judges had contributed to national efforts to ensure greater participation of women in the judicial process.

43. Her Government had a policy of zero tolerance concerning corruption. A 2016 study based on police reports, consultations, informal interviews, corruption allegations and overall data from 1994 to 2016 had found that corruption in Eritrea was insignificant. In recent years, Eritrea had partnered with the United Nations Office on Drugs and Crime to enhance the rule of law and human security in the country and across the Eastern Africa region through activities tailored to address existing challenges and emerging threats. The Government had also identified key areas of cooperation with other countries of the region, including crime prevention and investigation, human resources development and countering of transnational organized crime.

44. Eritrea recognized the importance of national ownership of rule of law activities. In that connection, it was important to provide Member States with enhanced technical assistance and capacity-building, upon request, to enable them to fulfil their international obligations at the national level.

45. **Mr. Mikeladze** (Georgia) said that protection of human rights and respect for the rule of law required a strong legal framework and functioning institutions that held both individuals and Governments accountable for their actions. Since 2012, Georgia had been successfully implementing three sets of judicial reforms to ensure the independence of the judiciary and consolidate institutional democracy. A fourth set would focus on the creation of specialized commercial and tax chambers within the country's court system. That was expected to have a positive impact on the consolidation of guarantees for protecting the rights and legitimate

interests of investors and to help transform the country into a regional hub for the settlement of business and commercial disputes.

46. In July 2018, a new law had entered into force to ensure a thorough, transparent and independent investigation into any allegation of torture or ill-treatment by law enforcement officials. It guaranteed a high degree of independence for State inspectors, including immunity from criminal persecution and criminal procedures. Georgia had been one of the first countries to join the Open Government Partnership and had become the lead Chair in September 2017. As a Chair, it had hosted the Partnership's fifth Global Summit in July 2018, whose objective had been to create and reinforce alliances to better serve citizens.

47. The peaceful settlement of international disputes was one of the core elements of the rule of law at the international level and expanding the scope of justiciability of international disputes was vital for the efficiency of international judicial institutions. Georgia was one of 73 States that recognized the compulsory jurisdiction of the International Court of Justice. As an enabling factor for full-fledged cooperation with the International Criminal Court, it had put in place adequate legislation for the implementation of the Rome Statute of the International Criminal Court at the national level. In October 2018, to mark the twentieth anniversary of the Rome Statute, Georgia would host a high-level regional conference to promote cooperative relationships between the International Criminal Court and countries from Eastern Europe and Western Asia.

48. **Mr. Poudyal** (Nepal) said that his country's democratic and inclusive Constitution of 2015 guaranteed adherence to the rule of law, protection of human rights and fundamental freedoms, democratic governance and the independence of the judiciary. The objective of maintaining international peace and security was closely linked to the rule of law at the international level and formed the basis for peaceful coexistence and cooperation among States.

49. Nepal reiterated its unflinching adherence to the purposes and principles of the Charter and strongly upheld the principles of sovereign equality, peaceful co-existence, non-interference in the internal affairs of States, the prohibition of the threat or use of force and the peaceful settlement of international disputes. Nepal was a party to 24 different international human rights instruments and had incorporated them into its national legislation. Two new legislative texts, the Code of Criminal Procedure and the Civil Code, which had aligned existing domestic laws with international law and international practices and were aimed at

strengthening the rule of law and ensuring accountability for both civil and criminal liability, had come into force in 2018. The National Human Rights Commission, an independent watchdog institution for human rights protection and promotion, complied fully with the Paris Principles.

50. The international community must strengthen cooperation and act in a more coherent manner to combat terrorism, violent extremism, transnational organized crime and climate change, which were threats to the rule of law. His delegation acknowledged the strong interrelationship between the rule of law and development and remained committed to the implementation of Sustainable Development Goal 16.

51. **Mr. Tang** (Singapore) said that his country had consistently subscribed to the view that the rule of law was a universal value. At the national level, it was one of the fundamental tenets on which the nation had been founded, and it continued to provide the framework for its proper functioning. At the international level, it provided the basis for international relations among States, and was key to maintaining international peace and security and achieving sustainable development.

52. Multilateral treaties played an important role in strengthening the rule of law at the international level. They enhanced universality, consolidated international consensus, provided certainty and accountability on rights and obligations and facilitated the peaceful settlement of disputes. For that reason, Singapore had actively participated in the elaboration of a wide range of multilateral treaties and contributed to the functioning of international bodies such as the United Nations Commission on International Trade Law (UNCITRAL).

53. In 2018, Singapore had chaired the intergovernmental conference to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. At its fifty-first session, held in 2018, UNCITRAL had finalized and approved its draft convention on international settlement agreements resulting from mediation. It had also recommended that the General Assembly consider adopting the draft convention and authorize a signing ceremony to be held as soon as practicable in 2019 in Singapore, and that the convention be known as the “Singapore Convention on Mediation”.

54. Singapore strongly believed in doing its part to build capacity in international law. The Singapore Cooperation Programme, the country’s primary

platform for delivering technical assistance, had been offering capacity-building programmes on international law since 2006. In August 2018, Singapore had conducted a course on international law and its application and would hold further international law courses in 2019. In November 2018, it would host the external programme of The Hague Academy of International Law on the topic of contemporary questions of international economic law.

55. With regard to the points made in the Secretary-General’s report (A/73/253), Singapore commended the support provided to Member States to strengthen oversight mechanisms and combat corruption. It agreed that corruption was a destructive practice that needed to be eradicated. It welcomed the efforts to improve coordination and cohesion within the United Nations on rule of law assistance, and it encouraged the Rule of Law Unit to continue its efforts to engage Member States in that regard.

56. However, Singapore did not agree with the comments pertaining to the death penalty, which was not prohibited by international law. The death penalty was first and foremost a criminal justice matter, not a human rights issue. Every State had an inalienable and sovereign right to choose its political, economic, social, cultural, legal and criminal justice systems. Accordingly, the question of whether to retain or abolish the death penalty, and the types of crimes for which the death penalty was applied, should be determined by each State, taking fully into account its own history, legal traditions and national circumstances. As there was no international consensus against the use of the death penalty, it was not an issue to be legislated by the United Nations nor the Secretary-General. Nor could one group of countries impose its views on others. His delegation hoped in his future reports the Secretary-General would capture the diversity of views among Member States on that issue in an objective, neutral and non-partisan manner.

57. **Ms. Argüello González** (Nicaragua) said that her country espoused the rule of law and recognized States’ responsibility to maintain democracy, sovereignty, transparency and equity in all spheres. Nicaragua had continued to work to restore the economic, political, social and cultural rights of the population, with particular emphasis on the human rights of women and children, and the rights of all citizens to health, education, access to land and justice and peace existence.

58. A strengthening of the rule of law called for respect for the legal institutions of all States, recognition of the sovereign right of States to choose their form of

government and respect for the right of peoples to self-determination.

59. Her delegation reiterated the importance of maintaining a balance in the development of the national and international dimensions of the rule of law. The rule of law at the international level needed to be given closer attention in the United Nations. The Charter of the United Nations and the principles contained therein were essential to promoting international relations based on the rule of law.

60. International disputes could be settled peacefully only through dialogue and negotiation. The International Court of Justice was instrumental in that regard, in that it not only contributed to the promotion, consolidation and dissemination of the rule of law, but was also essential to the fulfilment of commitments concerning the sovereign equality of all States, a fundamental principle of the United Nations.

61. **Mr. Bin Momen** (Bangladesh) said that his delegation reaffirmed the importance of a balanced treatment of the national and international dimensions of the rule of law, and it subscribed to the view that the rule of law was a critical enabling factor for achieving peace and sustainable development. With regard to the Organization's capacity-building engagements at the national level, Bangladesh agreed with the importance attached to system-wide coordination and coherence, including through the global focal point arrangement on police, justice and corrections work. It acknowledged the need for enhanced resources to support United Nations rule of law work, especially in transition planning in peacekeeping operations.

62. Bangladesh was making a sustained effort to address gaps in its justice and accountability systems and thus meet the rule of law-related targets under the Sustainable Development Goals. In the process, it focused on consolidating the independence of the judiciary, broadening access to justice for vulnerable groups, heightening awareness of the need to eliminate all forms of discrimination and violence against women, and introducing progressive legal reforms in line with international obligations and evolving national aspirations and views.

63. The recent Rohingya humanitarian crisis had given rise to demands for justice and accountability for the atrocity crimes committed against the Rohingya in Rakhine State by the Myanmar authorities. Ensuring accountability for the serious international crimes to which the Rohingya had been subjected would be crucial for facilitating their safe, dignified and voluntary return to their homes. It was important to follow up on the observations and recommendations made by the

fact-finding mission established by the United Nations Human Rights Council. His delegation welcomed the Council's recent adoption of a resolution on the human rights of Rohingya Muslims and other minorities in Myanmar. It looked forward to the Secretary-General's appointment of the members of the independent mechanism mandated under the resolution to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011.

64. As a State party to the Rome Statute of the International Criminal Court, Bangladesh would continue to support the work of the Office of the Prosecutor of the International Criminal Court, pursuant to the Pre-Trial Chamber's ruling on the Court's jurisdiction over the forced deportation of the Rohingya from Myanmar to Bangladesh. Myanmar must demonstrate respect for the international rule of law and refrain from committing provocative acts against the interests of Bangladesh. Only the previous week, following a formal protest by Bangladesh, the Myanmar authorities had rectified maps on some of their official websites which had claimed that Saint Martin's Island, part of the territory of Bangladesh, was part of Myanmar. One such website was that of the Population Department of the Ministry of Labour, Immigration and Population, which was supported by the United Nations Population Fund. His delegation urged all concerned United Nations entities to exercise caution not to become unwittingly associated with such provocative acts.

65. Bangladesh remained committed to facilitating the rule of law mandates of United Nations peacekeeping operations, including through its active role as a troop- and police-contributing country. It had consistently underscored the gender dimension in the implementation of peacekeeping mandates and in supporting the concerned host States. In recent years, it had provided qualified personnel for correctional and judicial functions in the context of many peacekeeping missions. It continued to appreciate the exposure to United Nations rule of law standards for its personnel, which helped to enhance their understanding, professionalism and accountability at the national level. His Government was deeply concerned about indiscriminate attacks against peacekeepers, which were tantamount to serious international crimes. It urged the United Nations to continue supporting the judicial systems of the concerned host States in their efforts to bring the perpetrators to justice and eliminate the growing culture of impunity.

66. As a nation committed to a rules-based international legal order, Bangladesh attached the

highest priority to the Organization's work in the elaboration and promotion of international instruments, norms, standards and rules. It would actively support work to adopt an international legally binding instrument for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction under the United Nations Convention on the Law of the Sea. It maintained its support for concluding the work on a comprehensive convention on international terrorism, and it looked forward to tangible progress being made on the elaboration of an international human rights instrument addressing the question of ageing.

67. Bangladesh took particular interest in efforts to ensure the application of international law for an open, secure and inclusive cyberspace. It underscored the importance of compliance with international norms for regulating State behaviour in cyberspace. It recognized the need to elaborate further norms and standards with the participation of all Member States and other stakeholders, and it urged the Secretary-General to give further attention to that issue in the context of the Organization's future rule of law activities and reports.

68. His delegation had taken note of the comments and observations on the death penalty contained in the Secretary-General's report. While the issue was being addressed in the Third Committee, it urged the Secretary-General to avoid broad generalizations without due regard for context-specific realities and the need to respect State sovereignty. To cite one example, the Parliament of Bangladesh had recently enacted a law on road safety which made provision for capital punishment, in response to popular public demand. The change in societal views was an incremental process and could not be extraneously engineered.

69. With regard to possible subtopics for discussion under the current agenda item, Bangladesh would prefer a subtopic on promoting accountability for serious crimes under international law at the domestic level, but remained open to other suggestions and hoped that the impasse at the seventy-second session on the selection of a subtopic would not be repeated.

70. **Ms. Bah-Chang** (Sierra Leone) said that her Government remained committed to strengthening the rule of law at the national and international levels, with due regard for other international law norms, including the sovereign equality of States, a rules-based system and the principles enshrined in the Charter. Taking steps to strengthen the rule of law would also help to establish the desired nexus between the rule of law and the achievement of the Sustainable Development Goals, especially Goal 16.

71. There was no single model for strengthening the rule of law, but the fundamental tenets and core elements reaffirmed by the General Assembly in its resolution 72/119 must be adhered to, even with the continuing evolution of the international order. In his report for the seventy-second session (A/72/268), the Secretary-General had rightly indicated that the rule of law was an outcome that required continued effort to keep up with the constant evolution of societies. Sierra Leone thanked the Secretary-General for supporting its rule of law and human rights programmes, specifically those on community-oriented policing, women's rights in customary legal proceedings, and its efforts to prevent and address sexual and gender-based violence, as well as the work of the Residual Special Court for Sierra Leone.

72. Sierra Leone had maintained its commitment to democratic governance, as evidenced by its peaceful transfer of power and peaceful and credible elections, and acknowledged the role of the United Nations and development partners in that process. Sierra Leone was now a successful model of a stable democracy rooted in the rule of law. It viewed peace and security as the foundation for building a peaceful, just and inclusive society. It therefore sought to implement its Truth and Reconciliation Commission's recommendation on fostering national unity and cohesion for a new and equitable citizenship in Sierra Leone, with a new culture of mutual respect, understanding and tolerance by Sierra Leoneans for all Sierra Leoneans and other peoples. An independent commission for peace and national cohesion was to be set up by Parliament.

73. Within the framework of implementing Sustainable Development Goal 16, Sierra Leone was co-convenor of the Pathfinders for Peaceful, Just and Inclusive Societies and its Task Force on Access to Justice and its Legal Aid Board continued to provide accessible, affordable, credible and sustainable legal aid services to indigent persons. It had also undertaken many other actions with the support of the rule of law and human rights project of the United Nations Development Programme to promote transparency in the judiciary.

74. Sierra Leone had introduced free public education with a view to tackling illiteracy, removing the financial burden on parents and encouraging school attendance by girls. The ultimate objective was to develop the country's human capital, open up society and make citizens better informed. Sierra Leone was strongly committed to promoting accountability for atrocity crimes under international law at both the domestic and the international levels. The domestication of the 1949 Geneva Conventions and Additional Protocol I thereto

in 2012 was linked to the country's continuing fight against impunity. Sierra Leone had also brought its domestic legal framework into line with existing international criminal justice mechanisms.

75. Developing the rule of law at the national and international levels required capacity-building. In that connection, in addition to existing university programmes, Sierra Leone was in the process of establishing a foreign service academy for capacity-building and welcomed the work of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in helping to improve understanding of international law.

76. Lastly, her delegation continued to appreciate the forums within the United Nations system dedicated to the development of the rule of law, including the International Law Commission and the United Nations Commission on International Trade Law, and called for regional balance and equity throughout the United Nations system in the further development of international law.

77. **Mr. Nfati** (Libya) said that his delegation commended the Secretary-General for his report (A/73/253), in which he had clearly showed the link between the rule of law and the three pillars of the United Nations: international peace and security, development and human rights. Libya was working to implement the rule of law, since it was the cornerstone for ensuring equality and justice for all and for strengthening good governance. National frameworks were needed to implement the rule of law in line with international law. At the national level, Libya hoped to continue with its efforts to speed up the building of a State whose Constitution guaranteed fundamental freedoms, the peaceful transfer of political power and respect for human rights. In that connection, following the adoption of law on elections, the country's draft Constitution would be submitted to a referendum, thus completing the process of rebuilding the country.

78. The fight against impunity called for efforts to combat all forms of organized crime and to strengthen law enforcement institutions at the local level, with the help of international organizations under various cooperation programmes. Libya was working with the human rights, transitional justice and rule of law sections of the Human Rights Council and the United Nations Support Mission in Libya in that regard.

79. Libya reaffirmed its respect for the principles of the Charter of the United Nations and its obligations related thereto and to other international rules, including those governing relations between States. It stressed the

importance of the peaceful settlement of disputes and the use of mechanisms established in the framework of international law, including the International Court of Justice. Knowledge of the law was an important measure for strengthening the rule of law, preventing certain offences and promoting peace and security; it was thus crucial to disseminate all aspects of the rule of law by building the capacity of States, at their request, and by respecting the political, economic and social particularities of each State, in addition to creating information networks, exchanging expertise and organizing training programmes so as to improve knowledge about international law, especially in developing countries.

80. **Mr. Alazeezi** (United Arab Emirates) said that his Government reaffirmed its full respect for the rule of law, which guaranteed international peace and security. It welcomed the report of the Secretary-General and the efforts by the United Nations to support Member States in strengthening their rule of law capacity, including by developing training tools for police and judicial officers.

81. The rule of law was the cornerstone of the country's domestic and foreign policy. At the national level, for the fourth consecutive year, the United Arab Emirates had been at the forefront of the countries in North Africa and the Middle East ranked on the World Justice Project Rule of Law Index, thanks in particular to efforts to combat corruption. At the regional and international levels, the challenges facing the United Arab Emirates required it to play its full role in the peaceful settlement of disputes as well as in the promotion of human rights, the fight against money-laundering, corruption, human trafficking and transnational crime. The United Arab Emirates complied with the international conventions and treaties to which it was a party.

82. The Middle East was currently experiencing a crisis due to the aggression of certain expansionist States which were interfering in the internal affairs of other States, thereby destabilizing the region and undermining the rule of law, in flagrant violation of international law and the Charter of the United Nations. It was vital to address the risks to the rule of law generated by extremist narratives and to strengthen international cooperation, to exchange information and to ensure that countries that supported terrorism were held accountable.

83. The essential role of regional organizations in supporting the rule of law, strengthening stability and containing conflicts before they became a threat to international peace and security was recognized in Chapter VII of the Charter. States must therefore

demonstrate good faith in implementing the regional and international agreements to which they were parties. Regional disputes and the problems of regional governmental organizations must also be addressed. Partnerships with regional and international organizations concerning the rule of law must be strengthened.

84. **Mr. Varankov** (Belarus) said that his delegation welcomed the efforts of the United Nations to strengthen the rule of law in conflict and post-conflict situations. Stable, effectively functioning States were the guarantors of the rule of law at the national and international levels and the security and well-being of their people. Crimes against humanity were often committed in situations where States lacked the capacity to take the requisite action, plunging entire regions into chaos and lawlessness. That was an area on which the limited resources of the United Nations should be focused. Equally important was support for the basic principles of international law, including the freedom of States to choose their development approach and priorities without external interference. Without active support for those principles, there could be no rules-based system of international relations.

85. It was not clear which universal international treaty had served as the basis for conflict-related sexual violence being cited as a serious crime under international law in the report of the Secretary-General (A/73/253). It was also questionable whether the attention which the United Nations accorded to what was just one of the crimes committed during armed conflicts was justified. Ensuring accountability for violations of human rights in post-conflict communities required setting certain priorities. That applied first and foremost to the right to life, the protection of which called for establishing minimum security standards in States.

86. The issue of accountability of or amnesty for the perpetrators of such violations was one of the most controversial elements of the peacebuilding process. It was therefore puzzling that the question of the proper functioning of the Secretariat had been addressed in only one paragraph of the report. Given the apparent focus of the report on accountability, the rule of law within the United Nations itself should be assessed critically. For instance, with regard to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, there was a clear contradiction between the professed impartiality and objectivity of the Mechanism and the task of collecting evidence with a view to

bringing specific persons to justice. The lack of the institutional and procedural mechanisms that international judicial bodies would normally have to ensure fairness and basic legal guarantees for the parties to a trial as well as the lack of accountability for members of the Mechanism were causes for scepticism as to its contribution to ensuring the rule of law.

87. Belarus urged the Rule of Law Coordination and Resource Group and the Rule of Law Unit to continue their dialogue and to coordinate their actions with all Member States in a regular, transparent and inclusive manner. It welcomed all efforts to restore trust and constructive interaction between United Nations experts and Member States.

88. With regard to the subtopics proposed for discussion in the Sixth Committee, some of which could be included in the annual resolution for discussion at the seventy-fourth session, his delegation considered that enhancing the rule of law was one of the components of Sustainable Development Goal 16, and it was therefore not certain that it deserved a separate discussion.

89. Belarus agreed that international treaties were the cornerstone of the global system of international relations. The capacity-building needs of Member States must be given consideration to enable them to participate in multilateral treaty processes at all stages, including treaty drafting. The Rule of Law Unit should develop ways of systematizing that information, for example by drawing up a questionnaire or creating an online resource for interested States.

90. **Ms. Cerrato** (Honduras) said that the rule of law played a central role in the implementation of the three pillars of the United Nations. The rule of law and development were mutually reinforcing. Honduras was currently working on policies to legally empower women so that they had an equal opportunity to participate in political and legislative and local decision-making processes and the right to property and access to financing. The challenges involved in ensuring legal equality for the most vulnerable and the poor could not be underestimated. The Rule of Law Unit played an important role in addressing that situation by coordinating legal and social justice cooperation programmes, as the United Nations Development Programme did in her country through its work in the areas of justice, international security, human rights and international humanitarian law.

91. Her Government expressed appreciation to the United Nations for supporting the national political dialogue currently under way in Honduras, one objective of which was to propose reforms for the development of a new electoral model to help strengthen

the rule of law at the national level. At the international level, Honduras had not only adhered to the standards of the United Nations but also always resorted to the Organization's mechanisms for the peaceful settlement of its disputes with other States.

92. Her Government had demonstrated its firm determination to tackle corruption and impunity, drawing both on its national legislation and on the support of the international community to maintain and protect the rule of law. It had launched an action plan to promote public integrity, ensure better management of public resources and improve public services, with the broad participation of civil society, the private sector and government agencies. The plan had been recognized as a model by the Open Government Partnership. To implement it, Honduras had recently set up an inter-agency transparency unit to work towards establishing a more open, transparent, responsible and efficient State.

93. Lastly, for the rule of law to prevail, having effective laws, policies, lawyers and judges was insufficient without a change in societal values. There could be no rule of law or stable and lasting democratic institutions in a society that was not well informed and cohesive and that did not protect development opportunities and the well-being of its people. For that reason, Honduras had established its National Commission for Sustainable Development, comprising government institutions, civil society, the private sector, academia and international cooperation partners, in order to implement the 2030 Agenda for Sustainable Development and to apply the rule of law elements for achieving Sustainable Development Goal 16.

94. **Mr. Skinner-Klée Arenales** (Guatemala) said that his delegation endorsed the Secretary-General's call for Member States to engage in a frank and open dialogue on the effectiveness of United Nations rule of law assistance and in particular on ways in which the effectiveness, sustainability and coherence of such assistance could be strengthened across the three pillars of the Organization. It agreed that the Organization must do more to support the implementation of the rule of law elements of the 2030 Agenda for Sustainable Development and that the rule of law had a clear impact, for example, on eliminating poverty, reducing inequalities, supporting gender equality, protecting the environment, creating just, inclusive and strong institutions, guaranteeing access to justice and combating corruption and impunity.

95. His Government attached great importance to strengthening the rule of law by ensuring access to justice for all. It recognized the importance of a free,

independent and effective judicial system to which everyone had access without discrimination. Ensuring access to justice meant making people aware of their rights and of the mechanisms for ensuring respect for those rights. In addition, justice must be timely, judgments must be enforced, and the justice system must be responsive and efficient.

96. The International Commission against Impunity in Guatemala had been established in association with the United Nations to help strengthen the country's institutions and put an end to impunity. While it had registered some successes, the Commission had also recorded some excessive violations of human rights. As a sovereign State, Guatemala had therefore decided not to request a sixth extension of the Commission's mandate. After more than a decade, the Commission had had sufficient time to discharge its mandate. His Government also requested the Secretary-General to enhance the transfer of capacities to the institutions of justice in Guatemala, as set out in the mandate.

97. **Mr. Locsin, Jr.** (Philippines) said that human rights, the rule of law and democracy were independent but mutually reinforcing concerns. All three depended on respect for the principles of sovereign equality of States, territorial integrity of States and non-interference in the internal affairs of States. It was important to bear in mind that, as a practical matter, only individual States and their people had the ability to guarantee human rights, preserve the rule of law and protect democracy, and no external individuals or groups could dictate their actions in that regard.

98. Integral to the rule of law was the peaceful settlement of disputes between States, and not between States and organized criminal enterprises such as drug cartels. The 1982 Manila Declaration on the Peaceful Settlement of International Disputes was the authoritative articulation of the collective duty of all States under the Charter of the United Nations to peacefully resolve disputes in the international arena.

99. In his report, the Secretary-General had taken note of the intention of the Philippines to withdraw from the Rome Statute of the International Criminal Court, a decision which was based on his country's principled stand against any politicization of human rights. The country's independent and well-functioning organs and agencies continued to exercise jurisdiction over cases arising from its efforts to protect its people. Although the wheels of justice in the Philippines turned slowly, as they did in all democracies, they did turn. His Government could therefore not give any assurances to well-intentioned critics that it would shortcut justice in order to satisfy them, since that would undermine the

rule of law. Notwithstanding its withdrawal from the Rome Statute, the Philippines reaffirmed its commitment to combating impunity for atrocity crimes, having adopted national legislation for that purpose.

100. The Philippines was strongly committed to an internationally legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the UNCITRAL draft convention on international settlement agreements resulting from mediation, and the work of the International Tribunal for the Law of the Sea and the arbitral and conciliation commissions concerning maritime issues. His delegation appreciated the work of the Rule of Law Coordination and Resource Group, but noted that some agencies were undertaking projects that ran counter to other projects and those agencies were often completely unaware of the initiatives of other agencies and gave little consideration to the national priorities of Member States. United Nations agencies must take their lead from Member States, at the Member States' request.

101. **Mr. Tiare** (Burkina Faso) said that although the rule of law was primarily a theoretical construct, it had become a political topic, because it was now considered the principal characteristic of democratic regimes. His Government remained convinced that there could be no lasting peace or political stability unless the rule of law was accepted by States and their citizens. The strengthening of and respect for the rule of law were the guarantees of a world of peace and progress.

102. Burkina Faso welcomed the United Nations assistance in Africa in strengthening judicial and security structures, reducing armed violence, ensuring access to justice for vulnerable groups and promoting good governance, democratic principles and respect for human rights and civil liberties. There was no single model for the development of the rule of law; any action to that end must be based on domestic solutions. A greater reliance on informal traditional institutions, especially in Africa, could make an essential contribution to maintaining the unity and stability of African States.

103. The decision of the citizens of Burkina Faso to build a State that respected individual rights and democratic standards was reflected in the strengthening of the country's judicial framework for the ratification of the main international human rights instruments and in the consolidation of the domestic legal framework. Following wide-ranging consultations with the people of Burkina Faso, a new Constitution that reflected the changing social and political circumstances in the

country was being developed and would be voted on in a referendum in 2019. Burkina Faso had also overhauled its Criminal Code, Code of Criminal Procedure and Personal and Family Code. Budget allocations had been increased for the legal aid fund to promote access to justice for the poor. The Government continued to organize training on human rights and international humanitarian law for members of defence and security forces. It had also launched awareness-raising initiatives on civic responsibility and citizenship for young people.

104. Burkina Faso was firmly committed to complying with the international legal instruments to which it was a party and to cooperating with mechanisms for the protection and promotion of human rights. In that connection, on 7 May 2018, the Human Rights Council had conducted its third universal periodic review of Burkina Faso, at which his country's human rights efforts had been unanimously commended by the international community.

105. **Mr. Ghaforzai** (Afghanistan) said that the rule of law had been an overriding objective in his country's nation-building efforts since 2001. All its endeavours to achieve peace, improve the social and economic conditions of citizens, build viable State institutions and strengthen good governance had been directly linked to building a society grounded in the rule of law. The United Nations had played a vital role in galvanizing support for a stable and prosperous Afghanistan.

106. Despite lingering problems of terrorism and insecurity, Afghanistan had reached a turning point in its goal of becoming a self-reliant nation. In recent years, his Government had met the commitments undertaken at the 2014 Brussels Conference on Afghanistan to further consolidate its State institutions, promote the trust and confidence of the population and strengthen good governance and the rule of law as critical elements of long-term stability. Afghanistan had continued to make progress towards implementing a comprehensive reform agenda across national institutions and government agencies to promote efficiency, accountability and transparency. Its national strategy for combating corruption, finalized in 2016, provided the main framework for its good governance efforts.

107. Over the past two years, Afghanistan had made steady progress through strong national leadership, improved transparency in the security sector, merit-based appointments in the civil service, increased investigation and prosecution of corruption cases and the fight against money-laundering. With the comprehensive overhaul of its financial laws, Afghanistan had been declared in compliance with international standards by the Financial Action Task Force. With regard to the

protection of women's rights and women's empowerment, special courts had been established across the country to provide security and justice for Afghan women and special units had been set up within the Office of the Attorney General in more than half of the provinces to protect women.

108. The Geneva Conference on Afghanistan, to be held in November 2018, would mark the start of a new phase in the country's engagement with the international community. The Conference would endorse a new set of deliverables across a wide spectrum of areas under the Geneva Mutual Accountability Framework. The deliverables would include time-bound benchmarks in the areas of security, political stability, good governance, human rights and physical security. Strengthening democratic institutions to uphold the political will and aspirations of the Afghan people remained a core and immediate priority. To that end, parliamentary elections would be held in November 2018 and presidential elections in 2019.

109. Social and economic development had an impact on the rule of law at various levels. His delegation hoped that the repositioning of the United Nations development system in the context of the Organization's reform agenda would speed up progress by all States, in particular conflict and post-conflict countries, towards implementing the Sustainable Development Goals. Afghanistan continued to be firmly committed to conducting its relations in conformity with universal norms and principles that provided for a stable world order.

110. **Ms. Gaye** (Senegal) said that her country reaffirmed its commitment to the rule of law at the national and international levels. An international order based on the rule of law was a prerequisite for creating a more just and equitable world and guaranteeing peaceful relations between States and the peaceful settlement of disputes. The strengthening of the rule of law would also contribute to the consolidation of the three pillars of the United Nations. The rule of law should therefore become a major instrument for achieving the 2030 Agenda and the Sustainable Development Goals through its contribution to conflict prevention, peacekeeping and promotion of the universal protection of human rights.

111. Her delegation expressed appreciation to the Secretary-General for the support provided to Member States over the past year in promoting the rule of law at the national and international levels and reiterated its support for the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. It fully supported the report of the

Secretary-General, because the rule of law continued to be a major concern for the public authorities, associations and citizens of her country.

112. Her Government had launched a plan of action to expand access to the courts and improve their quality and efficiency, protect the rights of children and promote gender equality and women's empowerment. The implementation of the plan had led to the establishment of community courts, the opening of legal aid offices and a centre for the strengthening of the rule of law and the fight against corruption, and the setting-up of an independent authority to combat fraud and corruption.

113. The adoption on 3 November 2000 of the Bamako Declaration under the auspices of the International Organization of la Francophonie reaffirmed the commitment of the members of that body, including Senegal, to the fundamental principles of democracy through the consolidation of the rule of law, the holding of free and transparent elections and the promotion of a culture of democracy and full respect for human rights. Senegal was also a party to various United Nations and African Union conventions on good governance and the fight against corruption and illicit enrichment, which helped to strengthen the country's legal order.

114. **Ms. Pejic** (Serbia) said that her delegation supported United Nations activities to promote the rule of law and the work of the Rule of Law Coordination and Resource Group, provided that they were carried out in accordance with the principles of national sovereignty, territorial integrity and non-interference in the internal affairs of States.

115. The rule of law was essential to political stability, economic growth and social development at the national level, which was why Serbia was fully committed to strengthening its democratic society based on respect for the rule of law. Under its Constitution, the generally accepted norms of international law and international treaties and agreements to which Serbia was a party were incorporated and applied directly in the domestic legal order and all citizens were afforded equality and the right to equal legal protection without discrimination.

116. Serbia was a party to numerous international treaties under the auspices of the United Nations and actively cooperated with the Council of Europe and the Organization for Security and Cooperation in Europe in the promotion of human and minority rights and fundamental freedoms, the strengthening of the rule of law and the democratization of society. A European Union candidate country, Serbia had undertaken to thoroughly reform its legislative framework, with a

special emphasis on the rule of law, protection of human and minority rights, strengthening of institutional capacities and freedom of the media. The implementation of action plans drafted as part of the process of accession to the European Union was reviewed every four months, and regular reports were submitted to the European Commission. A judicial reform strategy for 2013–2018 had been adopted, and an action plan and constitutional amendments had been elaborated to ensure the independence of the judiciary. In 2016, a national strategy for the prosecution of war crimes had been adopted to create conditions for a more efficient investigation and prosecution of war crimes.

117. The rule of law was of paramount importance in preventing conflict and achieving sustainable peace, and it had a crucial role to play in the promotion and protection of human rights, including through the realization of the 2030 Agenda and the Sustainable Development Goals. Serbia had helped to establish the International Criminal Court and was strongly in favour of further strengthening the Court's institutional capacity and activities, to enable it to fulfil its mandate to prosecute and punish the perpetrators of the most serious international crimes. All States and international organizations should cooperate fully and unconditionally with the Court and help to bring about universal acceptance of the Rome Statute. Serbia strongly supported the work of the International Court of Justice, which had an irreplaceable role to play in the peaceful settlement of international disputes.

118. **Ms. Zeytinoğlu Özkan** (Turkey) said that the rule of law was the foundation of any peaceful, stable and prosperous society. Respect for the rule of law and international law was essential for peaceful coexistence and cooperation among States. The Rule of Law Coordination and Resource Group and the Rule of Law Unit played a key role in the coordination and coherence of the various United Nations rule of law activities. The United Nations had a central role to play in promoting a rules-based international order. In that connection, the International Law Commission had made significant contributions to the development and codification of international law.

119. However, her delegation encouraged the Secretariat to further strengthen the interlinkages between the rule of law and the three pillars of the United Nations. The principles of good governance, the rule of law and accountability were crucial components of an enabling environment for sustainable development and the implementation of the 2030 Agenda. In that context, Turkey strongly supported the achievement of Sustainable Development Goal 16.

120. Turkey reaffirmed its firm commitment to upholding the rule of law at the national and international levels and its readiness to participate in an exchange of relevant best practices.

121. **Mr. Lasri** (Morocco) said that his country was always committed to the Charter of the United Nations and the principles of international law, both of which fostered peaceful, tolerant and civilized coexistence between States. It went without saying, therefore, that national political balance and international stability and security provided the necessary foundations for the full application of the rule of law. In his delegation's view, those foundations, reflected in the principles of State sovereignty, national unity and territorial integrity of States, non-interference in their internal affairs and the peaceful settlement of disputes, were the underpinnings of any international order.

122. The United Nations had an important role to play in the codification, elaboration and promotion of an international framework of rules and principles covering virtually all activities of the international community, as did international courts and tribunals and the added value of their case law in clarifying certain pressing issues and enriching international law. With regard to conflict prevention and management, the Security Council and peacekeeping operations were also instrumental in preserving the international order, which served as the permanent regulator of the international community. The internal system of administration of justice in the United Nations was also an essential aspect of the rule of law for the Organization and its officials. His delegation welcomed United Nations efforts to optimize the dissemination of international law and the Organization's support for building national capacities through the programmes and initiatives of its specialized organs and agencies.

123. At the national level, Morocco was moving ahead with a number of reform programmes aimed at promoting the rule of law. In 2018, it had introduced structural reforms in that regard, including the elaboration of new criminal legal frameworks, the revision of the statutes of the National Human Rights Council and enhancement of women's rights. The Moroccan legislature had turned its attention to promoting the status of women, applying the principle of equity, establishing an authority to promote parity and combat all forms of discrimination, adopting a new government equality plan and launching a national policy for combating violence against women. An overhaul of the judicial system was also on the national agenda in order to strengthen transparency and the rule of law, ensure the independence of the courts and the protection of civil liberties, develop the institutional

capacities of the judicial system, and modernize and improve the administration of justice.

124. Lastly, aware that the rule of law was essential for the realization of the 2030 Agenda for Sustainable Development, in September 2018, Morocco had launched the third phase of its national human development initiative for 2019–2023 and had taken other measures to formulate its national priorities relating to the Sustainable Development Goals. It had also been one of the first countries to conduct a voluntary national review of the measures it had adopted to implement the Goals.

The meeting rose at 1.15 p.m.