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## Sixth Committee

### Summary record of the 4th meeting

Held at Headquarters, New York, on Friday, 8 October 2021, at 10 a.m.

*Chair:* Ms. Al-Thani ..... (Qatar)

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*The meeting was called to order at 10.05 a.m.*

**Agenda item 111: Measures to eliminate international terrorism (continued) (A/76/201)**

1. **Mr. Hermida Castillo** (Nicaragua) said that his Government condemned terrorism in all its forms and manifestations, including State terrorism and terrorism linked to overt or covert operations and policies, and attempts to remove legitimate governments by destabilizing countries or carrying out coups d'état. International cooperation and solidarity were crucial to combating terrorism. Nicaragua was making a significant contribution to stability, peace and security in its region, and had helped contain the spread of terrorism through its family- and community-based approach. His delegation strongly supported the development of an international convention on terrorism. It also supported the outcome of the seventh review of the United Nations Global Counter-Terrorism Strategy, which called, inter alia, for information-sharing between countries and efforts to prevent the use of information and communications technologies by terrorists.

2. Nicaragua, which had been a victim of terrorism, including State terrorism, had never and would never permit its territory to be used for the planning, financing or perpetration of terrorist acts against any State. Nicaragua respected all peoples, Governments and countries in the world. It also respected international law, the Charter of the United Nations and the principle of non-interference in the internal affairs of States, and demanded equal respect for its independence, sovereignty and right to self-determination. A law on the defence of the rights of the people to independence, sovereignty and self-determination for peace, in which all acts of terrorism against Nicaragua and its people were condemned, had been enacted in 2020.

3. In the midst of a pandemic, the imposition of unilateral coercive measures against States in the form of sanctions was tantamount to a crime against humanity. Such measures also hindered access to the resources necessary to combat terrorism. Nicaragua rejected such measures and expressed its solidarity with the more than 2 billion people suffering from them. The international community should focus on combating the real threats to international peace and security, including terrorism, State terrorism and aggression.

4. **Mr. Diakite** (Senegal) said that Senegal strongly condemned all terrorist acts, methods and practices, in all their forms and manifestations; such acts were as unlawful as they were unjustifiable, irrespective of where or by whom they were committed or whom they

targeted. Terrorism, which struck indiscriminately and affected all human societies, remained a global threat that must be countered by the collective security system of the United Nations. It was a destabilizing factor that threatened international peace and security and undermined the efforts of the international community to promote economic and social development. Regrettably, the African continent, in particular the Sahel, had been the region most affected by terrorist attacks in recent years.

5. Despite the existence of an international legal framework comprising 19 instruments, and the implementation of a variety of counter-terrorism initiatives, it had not been possible to curb the phenomenon. Indeed, terrorism was being manifested in new and more complex forms that used modern communications technologies as propaganda tools and were therefore more difficult to prevent. Moreover, terrorist groups had taken advantage of the coronavirus disease (COVID-19) pandemic to expand their sphere of influence, targeting young people from disadvantaged backgrounds in particular. Special attention must therefore be paid to the risks posed by new technologies and steps taken to address the lack of resources that made it difficult for many countries, especially developing ones, to detect and combat newer forms of terrorism.

6. The humanitarian consequences of terrorist attacks were especially severe in developing countries, particularly in the Sahel, where thousands of persons had been displaced and poverty and food insecurity had increased. Ignorance, poverty and social exclusion provided fertile ground for indoctrination and exploitation by terrorists. Such root causes of terrorism must be addressed. In that regard, Senegal had put in place economic and social development programmes to reduce inequality, poverty and youth unemployment and thereby help prevent violent extremism. His Government had also instituted operational security measures in the light of lessons learned from events around the world, emphasizing the need to coordinate the actions of the defence and security forces, prepare and equip special intervention forces and organize simulation exercises to test and correct strategies, as well as the need for the defence and security forces to share intelligence in the fight against terrorism.

7. In line with their obligations under international law, Member States should further strengthen their judicial cooperation with a view to preventing the financing of terrorism and ensuring that the perpetrators of terrorist acts were denied safe haven and prosecuted or extradited. The fight against terrorism must be a global and united effort.

8. **Mr. Ibrahim Sidi** (Niger) said that his Government condemned terrorism in all its forms and manifestations, wherever and for whatever purpose committed. Terrorism should not be associated with any race, religion or ethnicity. Among a number of measures taken to implement Security Council resolution [1373 \(2001\)](#), adopted in the wake of the horrific terrorist attacks of 11 September 2001, the Niger had ratified 14 universal counter-terrorism instruments and was also a party to several regional and bilateral agreements. His Government had set up a national financial information processing unit to combat money-laundering and the financing of terrorism, a national agency to combat human trafficking and a national commission for the collection and control of illicit weapons. Building on the good results obtained by the deradicalization programme for Boko Haram terrorist fighters launched in the south-east of the country in 2017, a second deradicalization centre would be opened in the near future in the Tillabéri region, on the border with Burkina Faso and Mali.

9. Much progress had been made in the international fight against terrorism in the 20 years since the adoption of Security Council resolution [1373 \(2001\)](#). Nevertheless, terrorists continued to cause harm and numerous challenges remained, especially in Africa, which, following the military defeat of Da'esh in Iraq and Syria, had become the epicentre of the deadliest terrorist activities. Since 2019, more than two thirds of terrorist attacks committed by Da'esh fighters worldwide had taken place in Africa, mostly in the Sahel and Lake Chad Basin regions, where local terrorist groups affiliated with Al-Qaida and Da'esh were taking advantage of weak defence systems, porous borders and political instability. In the face of the growing threat, the States of the Sahel and the Lake Chad Basin had pooled their efforts, forming the Multinational Joint Task Force and the Joint Force of the Group of Five for the Sahel to protect the Lake Chad Basin and the area of the three borders between Mali, the Niger and Burkina Faso. His Government welcomed the success of those joint forces and thanked the partners that had provided support to strengthen their operational and intelligence capacities.

10. Today more than ever, States and international institutions, in order to defeat terrorism and violent extremism, needed to adopt a more comprehensive approach that took account of the social, economic and political reasons that led to radicalization. Military efforts must necessarily be accompanied by soft development and good governance initiatives. The threat of terrorism, and terrorists' ability to recruit new fighters, could be substantially reduced if efforts to promote the development of the Sahel countries were to

benefit from the same solidarity and commitment as had led to the development of a COVID-19 vaccine within a year.

11. The absence of a universally agreed legal definition of terrorism had negatively affected international counter-terrorism efforts. His delegation therefore supported the negotiation of a comprehensive convention that would provide an agreed definition of terrorism in all its forms and manifestations.

12. **Ms. Lahmiri** (Morocco) said that Morocco condemned terrorism in all its forms and manifestations. Terrorism constituted a serious threat to international peace and security and undermined the stability, sovereignty, territorial integrity and national unity of States. Her Government reaffirmed its commitment to fighting terrorism and violent extremism. To that end, it had adopted a comprehensive approach that ensured respect for human rights and international humanitarian law. Aware of the importance of prevention, it attached particular importance to education and to the involvement of civil society in the implementation of the national counter-terrorism strategy and its security-related, socioeconomic and religious components.

13. The year 2021 marked not only the twentieth anniversary of the tragic attacks of 11 September 2001 and the adoption of Security Council resolution [1373 \(2001\)](#) but also the fifteenth anniversary of the adoption of the United Nations Global Counter-Terrorism Strategy and the tenth anniversary of the establishment of the Global Counterterrorism Forum, which was currently co-chaired by Morocco and Canada. Her delegation welcomed the seventh review of the United Nations Global Counter-Terrorism Strategy, in which Member States had renewed their commitment to work collectively in the fight against terrorism. It particularly appreciated the attention given to the challenges faced by Member States in Africa. The presence of armed and terrorist groups in the Sahel-Saharan strip posed a growing threat to the States of the region. Morocco welcomed the commitment of the Office of Counter-Terrorism to strengthening its efforts and its presence in Africa and noted with satisfaction the opening of programme offices in Morocco and Kenya. The programme office for counter-terrorism and training in Africa, located in Rabat, would work to develop and implement targeted programmes for African countries, focusing on capacity-building and skills development in the area of counter-terrorism.

14. The COVID-19 pandemic had increased the vulnerability of societies to the threat of web-based terrorism. Information and communications technologies, including social media, had greatly

expanded the reach of terrorist groups, enabling them to strengthen their links with criminal organizations, recruit new members and disseminate their extremist propaganda and hate speech. The dangerous ramifications of the return and relocation of foreign terrorist fighters – including the potential for them to inspire, direct and carry out terrorist attacks, contribute to the creation of new terrorist groups or join existing ones, and recruit new members – must be at the centre of the global counter-terrorism response.

15. Her Government was convinced that counter-terrorism efforts must be undertaken collectively, through a humanistic commitment that transcended borders, religions and civilizations and was supported by triangular, North-South and South-South cooperation. Morocco was fully committed to strengthening counter-terrorism security cooperation with all its partners. To that end, it participated in regional and global efforts to promote good practices in the fight against terrorism. Sharing of information and experiences with partner countries had resulted in the dismantling of several terrorist cells. Its national counter-terrorism strategy placed particular emphasis on promoting intercultural and interfaith dialogue, openness and tolerance as a means of preventing terrorism and violent extremism. Her Government had strengthened its national security architecture, while maintaining a social dimension that aimed to rehabilitate persons convicted of committing or attempting to commit terrorist acts. In 2015, it had set up the Central Bureau of Judicial Investigation, which was responsible for handling terrorism cases. In the legal sphere, domestic laws had been harmonized with international commitments in order to establish an effective legal framework for combating terrorism while also ensuring respect for human rights.

16. **Mr. Santos Maraver** (Spain) said that, 20 years after the terrorist attacks in New York on 11 September 2001, terrorism remained one of the most significant threats that States faced. New forms of terrorism were emerging as terrorists made use of new technologies. At the same time, the unjustifiable ideological constructs used by terrorist groups had mutated, leading to the reappearance of hate-based extremism and narratives contrary to the values and principles of the United Nations. The experience of those countries that had suffered terrorist attacks showed that it was essential to work together against the scourge of terrorism. International cooperation and consensus-based multilateral measures were more necessary than ever. The seventh review of the United Nations Global Counter-Terrorism Strategy had demonstrated that it

was possible to move forward, little by little, towards greater understanding and common positions.

17. The operational capacities of States' security forces must be strengthened, and decisive action must also be taken to prevent the further growth of violent extremist movements that could give rise to terrorism. Counter-terrorism must involve all of society, including civil society organizations. Respect for international law, including human rights and international humanitarian law, must be at the centre of efforts to curb terrorism, with particular attention paid to women and children. There were no short cuts in the fight against terrorism and any rights violations would prove counterproductive in the long term.

18. The victims of terrorism were a priority for Spain. They must receive full reparation and, in that regard, his delegation called on the international community to continue working to put in place international legal protections to safeguard the rights of victims. It was also crucial to raise the visibility of victims of terrorism and give them a voice, particularly as they could play an important role in countering the narratives of terrorist groups. Spain had recently opened a memorial centre to draw greater attention to the tragic experiences of victims of terrorism and keep their memory alive. His Government was participating actively in the organization of the Global Congress of Victims of Terrorism, to be held in 2022, and would continue working to advance the initiatives of the Group of Friends of Victims of Terrorism.

19. Lastly, Spain wished to reaffirm its commitment to preventing the financing of terrorism and addressing the situation of foreign terrorist fighters. It appreciated the work of the United Nations entities engaged in the fight against terrorism, in particular the Office of Counter-Terrorism and the Counter-Terrorism Committee Executive Directorate.

20. **Ms. Ighil** (Algeria) said that Algeria condemned terrorism in all its forms and manifestations, regardless of its motivation, whenever, wherever and by whomever it was committed. The threat of terrorism was increasing, including in the context of the COVID-19 pandemic, which had brought an additional layer of complexity to the phenomenon. The United Nations and individual Member States must respond by intensifying global counter-terrorism efforts. The United Nations Global Counter-Terrorism Strategy remained a critical instrument for addressing terrorism and violent extremism conducive to terrorism. The seventh review of the Strategy had offered an important opportunity for Member States to renew their collective resolve to combat terrorism. It was critical to enhance cooperation

at the bilateral, regional and international levels, strengthen capabilities and exchange best practices and expertise in counter-terrorism.

21. Her delegation was pleased that, in the seventh review, the General Assembly had reaffirmed the need to comply with international law and the purposes and principles of the Charter of the United Nations, as well as the primary responsibility of Member States in implementation of the Strategy. It also appreciated the references made to the COVID-19 pandemic; the financing of terrorism; the nexus between terrorist groups and organized crime; the misuse of new technology by terrorist groups; the threat posed by foreign terrorist fighters; the rise of hate speech, xenophobia, racism, Islamophobia and the increased attacks on cultural property and religious sites; and the human rights dimension in counter-terrorism. Algeria continued to support the role of the Office of Counter-Terrorism in implementing the Strategy and providing capacity-building support to Member States upon request, as well as its coordinating role in counter-terrorism and the prevention of violent extremism conducive to terrorism.

22. International counter-terrorism efforts should be further strengthened, as the devastating scourge of terrorism was still growing. That could be achieved in part by advancing the work of the General Assembly, through the Sixth Committee, towards the finalization of a comprehensive convention on international terrorism. Her delegation stressed the need to agree on an accurate definition of terrorism, in accordance with the Charter and international law, and to avoid any confusion between acts of terrorism and the legitimate struggle of peoples under colonial or foreign occupation for self-determination and national liberation. It would welcome the convening of a high-level conference under the auspices of the United Nations in order to resolve the remaining outstanding issues and reach a consensus.

23. Clearly, terrorism could not be defeated exclusively through repressive measures. A coherent political strategy that addressed the root causes of terrorism was needed. Her Government's approach focused on the implementation of policies, strategies and development programmes aimed at tackling exclusion, marginalization and social injustice and promoting democracy, human rights, good governance and peaceful coexistence as effective tools to counter terrorism and combat violent extremism conducive to terrorism. Algeria had developed strong bilateral cooperation with neighbouring countries in key areas related to the fight against terrorism. In the Sahel region, it was working to enhance coordination and cooperation,

including security cooperation, through strengthened border control measures, the provision of training and equipment and intelligence-sharing. The country was also participating in various security initiatives within the African Union, including the African Police Cooperation Organization (AFRIPOL), and worked closely with other actors, such as the Global Counterterrorism Forum, as part of its global counter-terrorism efforts.

24. **Mr. Portorreal Brandao** (Dominican Republic) said that his Government reiterated its condemnation of terrorism and violent extremism in all their forms and manifestations. It remained committed to the fight against terrorism, both within and outside the United Nations, as demonstrated by the fact that, since 2020, the Dominican Republic had chaired the Inter-American Committee against Terrorism of the Organization of American States. At the national level, a counter-terrorism committee and a counter-terrorism directorate had been established with a view to preventing terrorist acts, prosecuting and punishing the perpetrators of such acts and formulating State policies to combat terrorism. A national counter-terrorism centre worked to prevent the financing of terrorism. The various national counter-terrorism entities maintained effective communication with their counterparts in other countries.

25. As a party to various international treaties and conventions on terrorism, the Dominican Republic reaffirmed its commitment to the fight against terrorism, in strict compliance with the Charter of the United Nations and the rules of international law, including human rights law and international humanitarian law. It welcomed the adoption of General Assembly resolution [75/291](#) on the seventh review of the United Nations Global Counter-Terrorism Strategy and appreciated the efforts of the co-facilitators in leading the review, despite the COVID-19 pandemic.

26. **Mr. Domingos** (Mozambique) said that terrorism represented a serious challenge to international peace and security. It had caused the loss of human life and the destruction of social and economic infrastructure worldwide, particularly in Africa and the Middle East. Mozambique joined other nations in condemning terrorism in all its forms and manifestations and expressed its solidarity with the innocent victims of terrorism. In order to prevent, combat and eliminate terrorism, States must act in a coordinated manner, implementing strategic measures based on international instruments such as the Charter of the United Nations and related international treaties.

27. Mozambique welcomed the outcome of the seventh review of the United Nations Global Counter-

Terrorism Strategy, an important global instrument for enhancing national, regional and international efforts to counter terrorism. His Government considered it essential to adopt effective measures to control sources of financing for terrorism, including illegal trade in mineral resources. It had adopted a legal framework criminalizing money-laundering and the financing of terrorism, drug trafficking, cybercrime and other related crimes.

28. Mozambique was currently a victim of terrorism. While the motivations remained unclear, terrorists in his country were kidnapping children, young people and women, murdering innocent people, destroying social and economic infrastructure and derailing development projects. Terrorist activity had caused more than 2,000 deaths and the displacement of more than 807,000 people in Cabo Delgado and surrounding provinces. To deal with the phenomenon, his Government was pursuing bilateral and multilateral approaches that included training in counter-terrorism and support for the gathering of operational intelligence. It considered that the fight against terrorism was not limited to security aspects and had therefore adopted a response strategy that included medium- and long-term economic development, support for the reconstruction of damaged infrastructure, social assistance to affected families, and the creation of employment opportunities in the northern provinces.

29. Mozambique supported the efforts of the international community in the fight against international terrorism, and was open to learning from and sharing its experiences with other countries. It was important for the United Nations to develop an international legal framework that would reflect a consensus among Member States on the perception and identification of terrorism.

30. **Mr. Mansour** (Observer for the State of Palestine) said that history taught that Powers, notably colonial Powers, often invoked terrorism to justify their oppression of peoples pursuing their legitimate right to national liberation and self-determination, a right enshrined in natural law, international law and the Charter of the United Nations. Leaders such as Nelson Mandela had been branded as terrorists by oppressors trying to delegitimize their struggle. History also taught that countries invoked the fight against terrorism to bend or break fundamental rules of international law. The State of Palestine would never be complicit in such endeavours and unequivocally condemned terrorism in all its forms and manifestations, wherever, by whomever and against whomsoever it was committed, including in situations in which States were directly or indirectly involved. It had entered into memorandums of

understanding with over 80 States and cooperated fully with the United Nations in the fight against terrorism.

31. His delegation welcomed the seventh review of the United Nations Global Counter-Terrorism Strategy and the adoption of General Assembly resolution [75/291](#); it also stressed the importance of concluding a comprehensive convention on international terrorism. The State of Palestine was proud to be part of the Group of Friends of Victims of Terrorism and looked forward to the convening of the first Global Congress of Victims of Terrorism.

32. Although States had pledged not to associate terrorism with any religion, nationality, civilization or ethnic group, such associations continued to be made for political and electoral purposes, generating hate, deepening discrimination and resentment, and undermining the fight against terrorism. Certain categories of people were deemed suspicious, while others were exonerated, simply because of their faith or the colour of their skin. Terrorism was terrorism, regardless of the faith, nationality, culture or colour of the victim or the perpetrator. To foster hope and avoid fuelling hatred, it was essential to uphold international law and human rights; respect national, collective and individual rights; fight racism and discrimination; eradicate poverty; and promote sustainable development. Only those who shared the fundamental belief that all were equally entitled to freedom, dignity and security could truly call themselves partners in the fight against terrorism.

33. **Archbishop Caccia** (Observer for the Holy See) said that terrorism was an affront to the principles of fundamental human rights and the dignity and worth of the human person enshrined in the Charter of the United Nations. It hindered justice and respect for the obligations arising from international law, wreaked havoc on social progress and slowed efforts to promote better standards of life. Terrorism had grave short-term consequences and long-term destabilizing effects on people and communities and must be condemned. It could never be justified or excused on ideological, political, philosophical, racial, ethnic or religious grounds. Indeed, terrorist acts were utterly incompatible with authentic religion.

34. All measures to combat and eliminate international terrorism must be implemented with respect for the rule of law and international humanitarian law. Failure to abide by the rule of law would only encourage further radicalization. Counter-terrorism measures must not hinder the delivery of legitimate humanitarian aid. While there was a legitimate concern that humanitarian aid should not fall



into the hands of terrorists, it was vital not to limit the capacity of charitable and humanitarian organizations to provide aid to vulnerable groups and persons, including emergency relief to refugees and displaced persons and medical services to the wounded. In fact, legitimate humanitarian activities, including those carried out by religiously inspired organizations, contributed to the prevention of terrorism.

35. A multilateral and whole-of-society approach was needed to combat the global threat posed by terrorism. In that connection, the importance of the various United Nations counter-terrorism conventions should not be underestimated. Counter-terrorism efforts must also include an analysis of both the root causes of terrorism and its short- and long-term consequences in order to facilitate result-oriented measures. Advancing poverty reduction efforts, promoting the work of local communities and grass-roots programmes, engaging with religious leaders and faith-based organizations and supporting educational institutions were all essential to preventing and combating terrorism. In the context of the COVID-19 pandemic, it was also important to ensure that the shifting of resources to public health needs did not unintentionally lessen counter-terrorism efforts. The Holy See welcomed the international efforts made to prevent terrorism in 2021, despite the pandemic, and stood ready to support further efforts.

36. **Mr. Harland** (Observer for the International Committee of the Red Cross) said that terrorism not only violated international humanitarian law but also negated the basic principle of humanity. The International Committee of the Red Cross (ICRC) condemned acts of terrorism, whether or not they were committed in the context of armed conflict and irrespective of their perpetrators. While it was legitimate and necessary for States to take action to ensure their security, counter-terrorism measures could have a negative impact on humanitarian action when they prohibited the direct and indirect provision of economic resources to listed individuals and entities or identified humanitarian activities authorized under international humanitarian law as a form of prohibited support. Such measures might have unintended consequences, such as impeding impartial humanitarian organizations such as ICRC from tending to the wounded or helping to vaccinate populations against COVID-19. When various forms of contact with listed persons and groups were prohibited outright, ICRC might even be prevented from carrying out humanitarian activities mandated by the Geneva Conventions and international humanitarian law, such as visiting detained persons or reuniting missing persons with their families.

37. In resolution [75/291](#) on the seventh review of the United Nations Global Counter-Terrorism Strategy, the General Assembly had acknowledged the potential negative impacts of counter-terrorism measures on impartial humanitarian action and had urged States to ensure that their counter-terrorism efforts did not impede such action. In recent years, Member States and regional groupings such as the European Union and the African Union had taken measures to better protect humanitarian organizations from the unwanted consequences of counter-terrorism measures. States were currently reviewing domestic laws and regional and international regimes covering Afghanistan to allow for the continuation of humanitarian efforts there.

38. United Nations counter-terrorism resolutions should continue to emphasize that all counter-terrorism measures must comply with international humanitarian law. Wording based on the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), which required States bound by the Protocol to allow and facilitate rapid and unimpeded humanitarian relief, should be included in counter-terrorism resolutions of the Security Council and General Assembly. Those involved in drafting and implementing counter-terrorism measures should be made aware of their possible unintended consequences, and both United Nations resolutions and domestic laws on terrorism should include provisions specifying that sanctions and other restrictions would not apply to exclusively humanitarian activities carried out by impartial humanitarian actors. Future counter-terrorism resolutions should incorporate carefully crafted standard humanitarian exemptions and should require States to adopt concrete and practical measures to ensure that impartial humanitarian organizations were allowed to protect and assist populations in need.

#### **Agenda item 85: The rule of law at the national and international levels ([A/76/235](#))**

39. **Mr. Türk** (Assistant Secretary-General for Strategic Coordination of the Executive Office of the Secretary-General), introducing the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities ([A/76/235](#)), said that during the previous 12 months, the Organization had helped to strengthen the rule of law and human rights in the prevention and countering of terrorism, had provided support for constitution-making and had sought accountability for crimes committed against United Nations peacekeepers. It had also continued to promote the codification and development of international instruments, norms and standards through

training programmes and capacity-building activities and by providing resources to Member States. In his report, the Secretary-General highlighted the contributions of international and hybrid courts and tribunals and other international accountability mechanisms and provided examples of how United Nations assistance had helped to protect rights to due process and access to justice in the context of the COVID-19 pandemic.

40. However, the rule of law continued to face threats, including the politicization of justice institutions, threats to the independence of those institutions and the shrinking of civic spaces. In addition, deep structural inequalities exposed by the pandemic had further eroded public trust, especially among young people. Increasing demands for justice and systemic change required urgent attention to the climate crisis, the rights of future generations, gender and racial injustice, accountability for egregious crimes, the curbing of corruption and the governance of digital spaces and new technologies.

41. Strengthening the rule of law involved respect for the norms of international law, including those governing the use of force, and recognition of the primary responsibility of States to protect their populations from genocide, crimes against humanity, ethnic cleansing and war crimes. In his report, the Secretary-General highlighted the progress that Member States had made in ensuring accountability for serious violations of human rights, including in the context of transitional justice, conflict prevention and peacebuilding.

42. The international community stood at a crossroads between its current perilous path and one that would take it to a brighter future. In his report entitled “Our Common Agenda” (A/75/982), the Secretary-General recognized the centrality of the rule of law and human rights in resolving the greatest challenges faced by the international community and emphasized the importance of renewing the social contract by placing people at the centre of governance and justice, addressing the drivers of inequality and building trust by ensuring that institutions were transparent and responsive to people’s needs. He also offered a number of suggestions on how to tackle corruption and its causes and how to combat illicit financing. At the international level, he underscored the importance of international solidarity and the unique role of intergovernmental bodies and the multilateral system in resolving peace and security issues and settling disputes. For the multilateral order to become more networked, effective and inclusive, it was essential that the United Nations continue to support the promotion of international instruments, norms and standards.

43. Rebuilding after the COVID-19 pandemic presented an opportunity to achieve Sustainable Development Goal 16 on peace, justice and strong institutions. Thought must be given to how the rule of law could be advanced by all segments of society, especially where its basic tenets were being questioned. In his report entitled “Our Common Agenda”, the Secretary-General called for a new, system-wide vision for United Nations engagement on the rule of law, seeking the close involvement of Member States and all other relevant stakeholders in establishing a rule of law agenda that was more closely aligned with people’s everyday needs and could effectively respond to future crises and challenges. Against that backdrop, he suggested that a possible subtopic for the Committee’s next session might be “Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda”.

44. **Mr. Ghorbanpour Najafabadi** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that respect for the rule of law at the national and international levels was essential to international peace and security and socioeconomic development. It was vital to maintain a balance between the national and international dimensions of the rule of law. The Movement remained of the view that the latter dimension needed greater attention on the part of the United Nations.

45. Efforts to foster international relations based on the rule of law should be guided by the principle of sovereign equality of States, which meant that all States should be able to participate equally in law-making processes at the international level and should comply with their obligations under treaties and customary international law. Selective application of international law must be avoided, and the legitimate and legal rights of States under it must be respected. The prohibition of the threat or use of force in international relations and the peaceful settlement of disputes were the cornerstones of the rule of law at the international level. It was therefore essential for States to remain committed to a rule-based regime in the conduct of their respective relations with other States.

46. The members of the Movement had participated actively in the special session of the General Assembly against corruption held in June 2021. The political declaration adopted at that session was action-oriented and reflected an effective and articulated international response to corruption.

47. The principles and rules of international law were indispensable in preserving and strengthening the rule of law at the international level. Member States should



therefore renew their pledge to uphold, preserve and promote the purposes and principles of the Charter of the United Nations and international law. The Movement recognized the serious danger and threats posed by actions and measures that sought to undermine international law and international legal instruments, and strongly encouraged Member States to identify and pursue measures that would contribute to peace and prosperity and to a just and equitable world order based on the Charter and international law.

48. The Movement also encouraged States to settle disputes peacefully, using the mechanisms and tools established under international law. It called upon the General Assembly and the Security Council to make use, whenever appropriate, of their right under Article 96 of the Charter to request advisory opinions on legal questions from the International Court of Justice.

49. The Movement took note of the suggestion made by the Secretary-General, in his report (A/76/235), that the Committee might wish to consider “Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda” as a subtopic for the seventy-sixth session of the General Assembly. As Member States had recognized in the declaration on the commemoration of the seventy-fifth anniversary of the United Nations, contained in General Assembly resolution 75/1, peoples had to be at the centre of all efforts to establish the rule of law at the national and international levels and advance the common agenda set out in that declaration. Human rights, the rule of law and democracy were interdependent and mutually reinforcing, and all States should fulfil their obligations to promote universal respect for and observance and protection of all human rights and fundamental freedoms for all.

50. The Movement remained concerned about the application of unilateral measures, which had a negative impact on the rule of international law as well as on international relations. No State or group of States had the authority to deprive other States of their legal rights for political reasons. Close cooperation and coordination among all the principal organs of the United Nations were essential if the Organization was to remain relevant and capable of dealing with threats and challenges. The Movement remained concerned about the continuing encroachment by the Security Council on the functions and powers of the General Assembly and the Economic and Social Council. The Assembly should play a leading role in promoting and coordinating efforts to strengthen the rule of law.

51. The international community should not supplant national authorities in their task of establishing or

strengthening the rule of law at the national level, other than to provide them with the necessary support at their request. National ownership of rule of law activities was important, as was strengthening the ability of States to fulfil their international obligations, including through enhanced technical assistance and capacity-building. United Nations funds and programmes should provide such assistance, however, solely at the request of Governments and strictly within their respective mandates. Account should be taken of the customs and the political and socioeconomic features of each country, and the imposition of pre-established models should be avoided.

52. Appropriate mechanisms should be established to enable Member States to keep abreast of the work of the Rule of Law Unit of the Executive Office of the Secretary-General and to ensure regular interaction between the Unit and the General Assembly. The lack of an agreed definition of the rule of law should be taken into account in the preparation of reports, which should be objective, neutral and balanced, and in the collection, classification and evaluation of data on issues directly or indirectly related to the rule of law. The data-gathering activities of United Nations bodies should not lead to unilateral formulation of rule of law indicators or ranking of countries. Any indicators should be agreed upon by Member States in an open and transparent manner.

53. The Movement condemned any attempt to destabilize the democratic and constitutional order in any of its members. It reiterated its position welcoming the adoption of General Assembly resolution 67/19, which accorded to Palestine the status of non-member observer State in the United Nations and reflected the international community’s long-standing, principled support for the inalienable rights of the Palestinian people, including self-determination, independence and a two-State solution based on the pre-1967 borders. The Movement reaffirmed the significance of that political and legal achievement for the Palestinian people and the Government of the State of Palestine, and its support for the State of Palestine to assume its rightful place in the community of nations, including by being admitted as a State Member of the United Nations.

54. While it acknowledged the difficulty of reaching a consensus on the subtopic for the Committee’s debate under the rule of law agenda item at the Assembly’s current session in the context of the COVID-19 pandemic, the Movement encouraged Member States to agree on a suitable subtopic for the Committee’s debate at the seventy-seventh session.

55. **Ms. Lahmiri** (Morocco), speaking on behalf of the Group of African States, said that the rule of law and development were strongly interrelated and mutually reinforcing. Advancement of the rule of law at the national and international levels was essential for inclusive economic growth, sustainable development, eradication of poverty and hunger and, more generally, full realization of human rights and fundamental freedoms. The Group therefore noted with appreciation the efforts of the United Nations to advance the rule of law in the context of the COVID-19 pandemic and, in particular, its assistance to Member States on prevention of corruption, preparedness in prisons, equal access to justice and measures to end gender-based violence and violence against children.

56. The Group was concerned about judicial interference in the judicial matters and court processes of developing countries, which was contrary to the rule of law, impeded effective promotion of the rule of law and must be addressed in order to safeguard the democratic institutions of those countries. The Group was also concerned about the political and socioeconomic consequences of the pandemic, which could exacerbate underlying conditions and make more people susceptible to radicalization and recruitment by terrorist groups. Therefore, pandemic recovery efforts should focus on creating inclusive, sustainable and resilient societies, based on the realization of human rights. The pandemic continued to impede the effective functioning of justice systems in many parts of the world. The Group was therefore pleased to note that several States, including some of its members, were using technology to mitigate the impact of the pandemic on their justice systems by, for example, conducting remote proceedings. Further capacity-building in the use of technology to enhance justice systems would be valuable.

57. It was also commendable that a number of countries had taken steps to reduce prison overcrowding, including preventive measures such as prisoner release, and that United Nations mechanisms and their national counterparts were analysing good practices and tools to improve prison conditions and access to justice, for use after the pandemic subsided. Other best practices developed during the pandemic should be studied and shared as well.

58. During the special session of the General Assembly against corruption, Member States had shared national experiences and best practices on new and innovative approaches to combating corruption. The outcome document, which was concise, focused and action-oriented, embodied the renewed political commitment of Member States to articulate adequate,

collective responses to corruption. In that context, the Group reiterated its commitment to combating corruption and strengthening good governance and the rule of law and further underlined that coordinated and integrated efforts were essential to address corruption in all its forms and manifestations.

59. In his report, the Secretary-General had suggested that the Committee might wish to consider as a subtopic for the seventy-sixth session “Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda”. A people-centred approach to the rule of law, based on respect for human rights and fundamental freedoms and measures to ensure good governance, was essential to build sustainable, inclusive and peaceful societies. At the international level, such an approach would, inter alia, entail promoting equal access to vaccines and quality education for all and addressing deepening poverty and socioeconomic inequalities. At the national level, where the social contract between Governments and their people must be renewed, as highlighted in the Secretary-General’s report entitled “Our Common Agenda”, it could be achieved by fostering a culture of good governance, through which the rule of law was upheld in order to combat discrimination, racism, xenophobia, violence and inequalities and safeguard human rights and fundamental freedoms for all.

60. Capacity-building was key to the promotion of the rule of law. Evaluation of the needs and priorities of Member States requesting capacity-building assistance should be based on two interrelated concepts: effectiveness and national ownership. Convinced that the dissemination of international law was essential to strengthen the rule of law at the international level, the Group encouraged continued support for the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

61. **Ms. Popan** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that United Nations assistance in the promotion of the rule of law was essential. The rule of law was central to a renewed social contract anchored in respect for human rights and solidarity, and a prerequisite for a rules-based multilateral order. The international community must continue to protect and promote the rule of law, democratic principles, good governance and human rights in order to address the many challenges it faced. Such an approach would also

strengthen a new kind of multilateralism, built on solidarity between people, between nations, between current and future generations and between people and institutions, and based on the principle of rule of law rather than rule by law.

62. Ensuring respect for the rule of law must be part of efforts to build back better from the COVID-19 pandemic. On the occasion of the seventy-fifth anniversary of the United Nations, world leaders had agreed to abide by international law and ensure justice, promote respect for democracy and human rights and enhance democratic governance and the rule of law by strengthening transparent and accountable governance and independent judicial institutions. In the view of the European Union, it was also essential to combat impunity by supporting all international accountability mechanisms, including the International Criminal Court.

63. The European Union welcomed the Secretary-General's new vision for the rule of law in support of efforts to put people at the centre of justice systems. The United Nations must deliver for all people. It must listen to and involve civil society, youth, the private sector and academia, with the aim of achieving a more inclusive multilateralism.

64. The European Union was based on a set of shared values, including respect for human rights, democracy and the rule of law. The rule of law was essential for effective application of European law, proper functioning of the internal market, free movement of persons within the European Union, maintenance of an investment-friendly environment and mutual trust. Vigilance and constant improvement were required to ensure effective judicial protection. The fight against corruption was also essential for maintaining the rule of law and preserving trust in public institutions. In 2019, the European Union had established a comprehensive rule of law mechanism with a Union-wide scope and annual reporting by the European Commission, which had now published two reports.

65. However, in far too many parts of the world, the rule of law, democracy and human rights were threatened by the surge in authoritarian leaders and by the targeting of political parties, human rights defenders and the media. Such actions should not be considered an internal affair; they touched the core of the rule of law at the international level and affected society as a whole. Member States had a common duty to prevent them and to remain open to dialogue.

66. The European Union wished to suggest "Pathways to people-centred justice systems" as a subtopic for debate at the next session of the General Assembly.

67. **Mr. Ke** (Cambodia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that ASEAN had always promoted the rule of law in all its aspects and would continue to do so. It had incorporated the fundamental principles and purposes of the rule of law into its Charter and advocated peace and security, good governance and respect for the promotion and protection of human rights.

68. ASEAN had long exhibited its commitment to stability and security in its region and had adopted a number of treaties, declarations and instruments to that end, including the Treaty of Amity and Cooperation in Southeast Asia (1976), the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (1995), the Declaration on the Conduct of Parties in the South China Sea (2002) and the Declaration of the East Asia Summit on the Principles for Mutually Beneficial Relations (2011). In addition, the States members of the Association continued to work with China towards the early conclusion of a code of conduct in the South China Sea consistent with international law, including the United Nations Convention on the Law of the Sea, within a mutually agreed timeline.

69. ASEAN had maintained its expanded focus on good governance and remained committed to upholding a culture of integrity and anti-corruption at all levels. Transparent and accountable civil service was the backbone of good governance, and open engagement with the private sector and community-based organizations could further promote respect for the rule of law. Corruption undermined social and economic development, reduced the effectiveness of democratic institutions and hampered progress for future generations. Corruption affected all countries around the world, and thus must not be associated with any particular culture or people.

70. All States members of ASEAN had ratified the United Nations Convention against Corruption and were actively engaged in anti-corruption efforts with partners in the region. Their experience had shown that fighting corruption required stronger cooperation and the sharing of information among partners, particularly in the area of law enforcement. To that end, States should comply fully with their obligations under the Convention, including with regard to extradition, mutual legal assistance and the recovery of assets and proceeds of corruption.

71. ASEAN urged States to work more cooperatively in promoting the rule of law through existing bilateral and multilateral mechanisms, while complying with the Charter of the United Nations, including with the principles of sovereign equality of States and

non-interference in the internal affairs of States. ASEAN strongly supported the work of the United Nations Office on Drugs and Crime in that regard and had engaged actively in the special session of the General Assembly against corruption, held in June 2021.

72. ASEAN took note of the Secretary-General's suggestion to consider a subtopic on "Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda" for discussion at the seventy-sixth session of the General Assembly. In that connection, through its Political-Security Community Blueprint 2025, ASEAN aimed to promote a rules-based, people-oriented and people-centred community and the rule of law at the national and international levels by nurturing a culture of integrity and anti-corruption among the people of Southeast Asia. By incorporating those principles into its policies and practices, ASEAN sought to promote those ideals through the implementation of relevant instruments, including the 2030 Agenda for Sustainable Development, particularly Sustainable Development Goal 16 on peace, justice, and strong institutions.

73. **Ms. Wegter** (Denmark), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that the rule of law was a principle of governance by which all persons, institutions and entities, including the State itself, were accountable to laws that were publicly promulgated, equally enforced, independently adjudicated and consistent with international human rights standards. Strengthening the rule of law meant strengthening respect for the norms of international law, including on the use of force, and recognition of the primary responsibility of States to protect their populations from atrocity crimes.

74. Strengthening the rule of law was also an integral part of the 2030 Agenda. The Nordic countries considered it a priority to promote and uphold Sustainable Development Goal 16 on peace, justice and strong institutions. It was essential to develop inclusive and accountable justice systems that provided quality services and built trust in the legitimacy of government. Judicial institutions were key in that regard.

75. The pandemic had exacerbated a worrying trend of declining respect for human rights, democracy and the rule of law in several parts of the world. Effective realization of the rule of law required adherence to the principles of supremacy of the law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency.

That was especially important in the context of power transitions, whether peaceful or by force.

76. The report of the Secretary-General (A/76/235) provided useful and specific examples of what the United Nations had done to support Member States in promoting the rule of law. The Nordic countries considered its focus on the rule of law as the foundation of a revitalized social contract to be highly relevant. Moreover, they appreciated the attention drawn to the politicization of justice institutions, attacks on national human rights institutions and the erosion of hard-won progress in relation to the rule of law, especially for women and girls. Ensuring effective and inclusive institutions, accountability and access to justice for all, especially women, was significant in that regard.

77. Earlier that year, Finland had established a rule of law centre for the purpose of providing expertise, training and other support to developing countries. In November 2021, Denmark would host a conference to examine how technology could support rather than undermine the rule of law and democracy.

78. Many of the challenges facing the international community, including those created by the pandemic, required a collective response. As the foundation of friendly and equitable relations between States and the basis of fair societies, the rule of law was vital to such a response. It also promoted certainty, stability, transparency and trust in public institutions, all of which were essential in the current context.

79. **Ms. Maille** (Canada), speaking also on behalf of Australia and New Zealand, said that the rule of law underpinned the international rules-based system, which was essential for international peace and security and political stability, as well as social and economic progress, international development, human rights protection and fundamental freedoms.

80. The rule of law required that human rights be placed at the forefront and that all persons – whether physical persons, private corporations, non-State actors or States – be held responsible for their actions on an equal footing before the law, both in times of peace and in times of conflict. The rule of law was crucial to international relations, reflecting, in particular, the obligation of States to respect human rights.

81. At a time when terrorism knew no boundaries, its environmental consequences were potentially global, and powerful non-State and para-State actors could threaten development objectives, it was in the common interest to build a solid rules-based order in which laws were promulgated publicly, adopted on the basis of independently made decisions and applied fairly and

uniformly in line with international law and human rights obligations.

82. Australia, Canada and New Zealand firmly supported the rule of law at the national, regional and international levels, recognizing its essential role in resolving current problems and addressing responsibility gaps brought to light by new threats to human rights. Beyond the traditional interactions between States and individuals, the rule of law should also be applied to new activities and emerging environments, such as cybercrime and other malicious digital activities. All countries agreed on the fact that international law, in particular the Charter of the United Nations, was applicable and essential to the maintenance of peace and stability in the digital space. The applicability of international law to State activities in cyberspace had been confirmed in the 2021 reports of the Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security and the Open-ended Working Group on Developments in the Field of Information and Telecommunications in the Context of International Security, as well as in the reports of previous Groups of Governmental Experts on threats posed by the use of information and communications technologies in the context of international security. The three countries supported efforts to strengthen the rule of law and ensure the protection of human rights in cyberspace.

83. Around the world, foreign nationals were being arbitrarily detained and used as bargaining chips in international relations. Arbitrary detention was contrary to international human rights law and undermined friendly relations between States. The COVID-19 pandemic should not be used as a pretext for reducing or removing access to justice and consular assistance for people held in detention. Arbitrary detention not only violated established human rights obligations but was also inconsistent with the rule of law and the independence of the judiciary, which were universal values, reflected in international law. It was time for arbitrary detention to be abolished, as called for in the Universal Declaration of Human Rights. The international community should work collectively to ensure that citizens of all countries were not subject to arbitrary detention when living, working or travelling overseas. The Declaration Against Arbitrary Detention in State-to-State Relations, launched in Ottawa, Canada, on 15 February 2021, was a first step in that direction. It called upon States to take concrete steps to prevent and put an end to harsh conditions in detention, denial of access to legal counsel and consular services, and torture or other forms of cruel, inhuman or degrading

treatment. More action was needed to end those affronts to human dignity. Australia, Canada and New Zealand would continue to lead the fight against arbitrary detention, as a natural extension of their commitment to upholding universal human rights and the rule-based international order. The three countries encouraged all States to endorse the Declaration and to reaffirm their concerns about the use of arbitrary arrest, detention or sentencing by States to exercise leverage over foreign Governments.

84. At a time when the rule-based international order was under threat, it was more important than ever to promote the existing obligations of States under international humanitarian law. Efforts must be accelerated to foster compliance with those obligations in order to better protect the people that they were meant to serve. While many States were vigilant in their application of, and respect for, international humanitarian law, current violations were not due to the inadequacy of the rules, but rather to a lack of knowledge about their content and application, or an unwillingness to implement and respect them.

85. The three delegations encouraged the implementation of international humanitarian law within domestic legal frameworks, to advance the protection of all civilians. In order to build a rule-based society that inspired and supported peaceful global relations, the human rights of individuals must always remain at the forefront.

86. **Mr. Pāparinskis** (Latvia), speaking also on behalf of Estonia and Lithuania, said that the former annexation of the three countries by the Soviet Union, in disrespect for the rule of law, underpinned their profound commitment to maintaining and strengthening a rules-based international order.

87. Promoting the development of, and respect for, international obligations had always been a central aspect of United Nations activities and had contributed significantly to the maintenance of international peace and security and to the promotion of human rights and sustainable development. In that context, the three delegations welcomed the role played by the United Nations in promoting the codification and progressive development of international law, notably through the International Law Commission. For the first time, Estonia, Latvia and Lithuania had jointly nominated a candidate for election to the Commission.

88. The three countries promoted compliance with international treaties. In 2021, they had joined the Group of Friends of the United Nations Convention on the Law of the Sea, as founding members, with the aim of supporting the implementation of the Convention,



addressing challenges related to seas and oceans and ensuring the attainment of the Sustainable Development Goals. The three countries also participated actively in the intergovernmental conference on 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.

89. International judicial institutions, and in particular the International Court of Justice, played a critical role in establishing and upholding international peace and security. The three countries reaffirmed their strong support for such institutions and called on all Member States to consider accepting the compulsory jurisdiction of the International Court of Justice. The three countries had all done so already, most recently Latvia in 2019.

90. The international criminal justice system was key to preventing impunity and upholding the rule of law. By bringing justice to victims of atrocities, accountability mechanisms such as the International Criminal Court helped establish lasting peace. The International Criminal Court played a crucial role in ensuring accountability where violations had not been addressed at the national level. The three countries encouraged all Member States to ratify the Rome Statute of the International Criminal Court.

91. The work of the United Nations to strengthen the rule of law was particularly important during the COVID-19 pandemic, which had exposed deep inequalities in the distribution of wealth and resources, justice and security, the protection of human rights and the delivery of basic services. Given the common objective of eradicating poverty and ensuring the sustainable development of all societies, efforts to build back better should be directed towards enhancing the rule of law, as development and the rule of law were closely interrelated. Solid legal frameworks strengthened entrepreneurship and encouraged public and private sector investment. By strengthening the rule of law, an environment could be created that would help reduce poverty and support sustained growth.

92. **Mr. Romero Puentes** (Cuba) said that his country was committed to promoting true rule of law in order to help change the current unjust international order. Any rule of law assistance provided by the United Nations to a Member State must be with the consent of that State. Promotion of the rule of law started with due respect for the legal institutions of all States by the international community and recognition of the sovereign right of peoples to create the legal and democratic institutions that best corresponded to their sociopolitical and cultural interests. National legal systems needed to be

strengthened on a voluntary basis, in full compliance with the principle of self-determination of peoples and without any political conditions attached. In that regard, Cuba was undergoing a legislative process to implement its newly adopted Constitution through complementary laws that had been, and would continue to be, subject to broad debate and analysis, in what was a valuable democratic exercise.

93. The extended scope and capacities granted to the Global Focal Point for the Rule of Law were worrisome, as that so-called mechanism had not been granted a mandate through the Sixth Committee, which was the competent forum for analysis, discussion and follow-up on the rule of law. No mandate existed to transfer that competence to other bodies or to establish institutions, mechanisms or roles without the Committee's prior approval on the basis of consensus.

94. True rule of law would begin with a reformed United Nations that set a standard for transparency, democracy and the participation of the entire international community in the solution of critical global problems. As part of such reform, the central role of the General Assembly, the only body with universal membership and with exclusive responsibility for the progressive development and codification of international law, must be consolidated in order to strengthen the rule of law. Member States must show full respect for the functions of the principal organs of the Organization and an appropriate balance must be maintained between their respective functions and powers, in accordance with the Charter. His delegation was also committed to bringing about far-reaching reform of the Security Council in order to make it an inclusive, transparent and democratic forum that reflected the true interests of the international community, in accordance with the purposes and principles of the Charter. It was clear from paragraph 36 of the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels that true rule of law meant the democratization of the international economic, monetary and financial organizations to serve the development of peoples and not the permanent enrichment of a few.

95. As part of its unconventional war against Cuba, the United States was using new information technologies to covertly destabilize the internal constitutional order of Cuba, in violation of the rule of law at the national and international levels. In that connection, his delegation wished to draw attention to the worsening of the economic, trade and financial blockade that was being imposed against Cuba by the United States as part of its policy of pressure and intimidation. Through such

acts, the Government of the United States time and again undermined the rule of law at the international level with its continuous and flagrant violations of international law, in particular the Charter of the United Nations. True rule of law called for the unequivocal rejection of any unilateral acts or measures such as the promulgation of extraterritorial laws and the politically motivated exercise of jurisdiction by national courts. Cuba condemned and called for the immediate revocation of all the unilateral extraterritorial provisions constituting the blockade imposed on it by the Government of the United States for nearly six decades.

96. **Mr. Khng** (Singapore) said that his country firmly supported the rule of law at both the national and international levels. The rule of law was fundamental for maintaining international peace and security and achieving sustainable development. Despite the negative impact of the pandemic on the rule of law, there had been some encouraging developments.

97. It was commendable that work to codify and develop international instruments, norms, standards and rules had continued throughout the pandemic, including through the United Nations Commission on International Trade Law and the intersessional work of the intergovernmental conference on 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 beyond areas of national jurisdiction. Singapore would continue to contribute constructively to those efforts, which were integral to strengthening the rule of law.

98. With the pandemic acting as a catalyst, many justice systems around the world, including that of Singapore, had begun to develop new and improved ways to carry out legal tasks and judicial processes. His delegation encouraged the sharing of experience and best practices for addressing pandemic-related challenges, especially those that had served to enhance access to justice and increase efficiency and transparency. Singapore, for example, had enacted legislation to allow for the wider use of remote communication technologies, such as video links, in court proceedings, thereby helping to maintain access to justice while protecting the health and safety of officials and users of the courts.

99. Despite the time and resources diverted to tackling the pandemic, capacity-building activities in support of the rule of law had continued. His delegation welcomed the ongoing support provided by the United Nations in response to Member States' requests for capacity-building, technical assistance and strategic institutional reform. For its part, Singapore had continued to provide

assistance to fellow developing countries through, among other things, the Singapore Cooperation Programme, which had provided virtual access to courses on law and governance.

100. The year 2022 would mark the fortieth anniversary of the adoption of the United Nations Convention on the Law of the Sea, one of the great contributions that the United Nations had made to the rule of law in the governance of the global commons. The anniversary would provide an opportunity to reflect on what the United Nations and multilateralism could achieve in promoting the rule of law in other areas of the global commons, such as the digital commons.

101. **Mr. Kanu** (Sierra Leone) said that his country reaffirmed its commitment to the rule of law at both the national and international levels. The rule of law supported international peace and security, sustainable development and the promotion and protection of human rights.

102. Sierra Leone acknowledged the urgent need to take action to tackle the threats posed to peace, people and the planet by delivering on social contracts in order to regain public trust and place people at the centre of a shared prosperity. At the national level, his Government was implementing its medium-term national development plan with a view to building a cohesive, secure and just society.

103. His Government was continuing to remove threats to democratic freedoms and human rights in the country, such as by repealing an old seditious libel law. The fundamental freedoms of association, conscience, expression and the press were fully respected and protected. The death penalty had also recently been abolished. Sierra Leone had engaged consistently and effectively with the universal periodic review process with a view to making progress on the protection and promotion of human rights. In the third and most recent cycle, Sierra Leone had accepted 216 of the 274 recommendations received and had taken note of the other 58. His Government was committed to implementing the accepted recommendations.

104. Despite the unprecedented challenges posed by the COVID-19 pandemic, Sierra Leone had continued to prioritize human capital development and to take action to achieve Sustainable Development Goal 16 on peace, justice and strong institutions. It had presented its third voluntary national review report at the 2021 high-level political forum on sustainable development, in which it had reported on actions taken to scale up efforts to operationalize the Independent Commission for Peace and National Cohesion, with a view to fostering social cohesion and further consolidating peace in the country.

105. By establishing a judicial presence throughout the country, Sierra Leone was continuing to expand access to justice, in particular for poor and underserved persons. The Legal Aid Board had provided free legal representation, advice and related services to more than 400,000 citizens in 2020, an increase of 93 per cent from 2018. Special courts to fast-track cases relating to sexual offences, social security, corruption and small claims had also been established.

106. As part of its call for global solidarity on access to justice and remedies for survivors of sexual violence, his Government had requested the inclusion of the item “International cooperation on access to justice for survivors of sexual violence” in the agenda of the seventy-sixth session of the General Assembly. His delegation would serve as lead sponsor of a stand-alone resolution on that item and called for the full support of all Member States in that regard.

107. He reiterated his country’s support for strengthening the international accountability system, in particular the International Criminal Court and the Residual Special Court for Sierra Leone. At the heart of the important cooperation between the United Nations and the International Criminal Court were the victims whom that system of accountability was designed to serve. His delegation therefore urged the United Nations to further strengthen its cooperation with the Court as part of promoting a people-centred rule of law.

108. His delegation appreciated the annual publication of the Secretary-General’s report on the rule of law, which highlighted the work of the Residual Special Court for Sierra Leone. In the most recent reporting period, the Residual Special Court had contributed to the further development of international criminal law on novel issues, including conditional early release. While his delegation appreciated the annual subventions currently paid, it reiterated that the legacy of the Special Court for Sierra Leone and its residual mechanism must be protected through adequate, predictable and permanent funding through the regular budget of the United Nations.

109. His delegation hoped that the Committee would reach consensus on a subtopic for its debate on the rule of law at the seventy-seventh session of the General Assembly. His full statement would be made available in the eStatements section of the *Journal of the United Nations*.

110. **Mr. Asiabipour** (Islamic Republic of Iran) said that multilateralism, an important achievement of the United Nations system since its inception, was under severe attack as a result of unilateral actions. The United Nations was the main platform for upholding and

strengthening the international rule of law. The Islamic Republic of Iran reaffirmed its commitment to the rule of law at the national and international levels, including the principles and purposes of the Charter and other fundamental principles of international law, primarily the sovereign equality of States and the immunity of States. In that context, his delegation condemned the arbitrary interpretation of international law and the adoption of an exclusive selective approach towards those principles in pursuit of narrow political agendas. Such an approach was counterproductive and undermined the rule of law.

111. It was imperative that all States were able to participate, on an equal footing, in United Nations norm-setting processes and activities in a peaceful environment. The host countries of United Nations offices around the world had a particular responsibility in that regard. The functionality, impartiality and professionalism of the United Nations and its organs must be preserved. Any misuse or abuse of those organs, such as to pursue country-specific resolutions or orchestrate political campaigns to interfere in the internal affairs of independent States, undermined the credibility of the United Nations and the rule of law. Furthermore, the adoption of resolutions on the basis of consensus – without a minority of States using their political and fiscal leverage to impose their will upon the majority – also helped significantly to strengthen the rule of law in all its dimensions.

112. While the principle of consent remained the cornerstone of its functions, the International Court of Justice, as the main judicial body of the United Nations, had a key role to play in strengthening the rule of law at the international level. In that connection, his delegation invited the United States to abide by the Court’s order of 3 October 2018 indicating provisional measures in the case concerning *Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)*, which required the United States to remove any impediments to the exportation to the Islamic Republic of Iran of medicines and medical devices, foodstuffs and agricultural commodities, and spare parts, equipment and associated services necessary for the safety of civil aviation. The Court had also ordered the United States to ensure that licences and necessary authorizations were granted and that payments and other transfers of funds were not subject to any restriction insofar as they related to those goods and services.

113. Unilateral action, such as withdrawing from international treaties and international organizations, waging trade wars, committing economic and medical terrorism by imposing inhumane unilateral coercive

measures, and weaponizing and abusing the international financial system, not only seriously endangered the rule of law at the international level but also undermined international peace and security. As such, any unilateral actions contrary to the recognized rules and principles of international law – including the principles of the Charter of the United Nations, and especially the rules governing the use of force – were doomed to fail. The withdrawal of the United States from the Joint Comprehensive Plan of Action, in defiance of Security Council resolution [2231 \(2015\)](#), was no exception.

114. His delegation had appreciated the virtual briefing organized by the Global Focal Point for the Rule of Law and the Rule of Law Unit in July 2021. All nations had a sovereign right to establish their own model of the rule of law and to develop a legal system based on their own cultural, historical and legal traditions. That right flowed from the sovereign equality of States and the principle of non-interference in States' internal affairs, which were enshrined in international law and the Charter. While his delegation welcomed the efforts of various United Nations entities to assist Member States in the implementation of the rule of law at the national level, it recalled that such efforts must be in line with the principle of national ownership and must take into account the sociocultural circumstances of each country.

115. **Ms. Cerrato** (Honduras) said that the rule of law and development were mutually reinforcing. The challenges involved in ensuring legal equality for the most vulnerable and the poor could not be underestimated. Strengthening the rule of law played an important role in providing solutions to that situation. In that regard, the coordination of legal and social justice cooperation programmes, as the United Nations Development Programme did in her country through its work in the areas of international security and justice, was important to ensure access to justice for all. Honduras had adopted policies to legally empower women so that they had an equal opportunity to participate in political, legislative and local decision-making processes and had the right to property and access to financing.

116. Her Government had demonstrated its firm political will to combat corruption and impunity, drawing both on its national laws and on the support of the international community to maintain and protect the rule of law. In January 2021, the United Nations Office on Drugs and Crime had opened an office in Honduras, which provided full-time expert technical support to the new Ministry of Transparency and other national agencies in the fight against corruption and transnational crime. The prevention and combating of

corruption were high national priorities for Honduras, which was why it reaffirmed the United Nations Convention against Corruption as the universal, legally binding instrument that not only expressed the country's firm decision to fight corruption, but also constituted the ideal tool for doing so.

117. As a founding member of the United Nations, Honduras complied with its rules and always made use of its peaceful dispute settlement mechanisms, such as the International Court of Justice, to resolve differences with other States. Honduras embraced the principles and practices of international law that promoted solidarity, respect for the self-determination of peoples and the consolidation of universal peace and democracy. It also fully supported the validity and applicability of international arbitration and judicial rulings.

118. In defending and protecting human rights, the social and cultural context and specific needs of each country must always be taken into account. Honduras had a robust legal framework based on the strictest human rights standards. It also upheld the principle of universal justice for such serious human rights violations as genocide, crimes against humanity, torture, war crimes, trafficking in persons, sexual exploitation and enforced disappearance.

119. In line with General Assembly resolution [75/141](#), Honduras supported the proposal in the Secretary-General's report ([A/76/235](#)) that the Sixth Committee should consider the subtopic "Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda" at the seventy-sixth session of the General Assembly.

120. For the rule of law and the stability of democratic institutions to prevail, having effective laws, lawyers and judges was insufficient; the fostering of well-informed and cohesive societies that protected development opportunities and the well-being of their people was also required. For that reason, Honduras had established its National Commission for Sustainable Development, comprising government institutions, the private sector and civil society, in order to monitor the implementation of the 2030 Agenda and apply the rule of law elements for achieving Sustainable Development Goal 16.

121. **Ms. Arumpac-Marte** (Philippines) said that her delegation appreciated the structure of the Secretary-General's report ([A/76/235](#)) showing the linkages between the rule of law and the three pillars of the United Nations. The call to reimagine the social contract between the individual, the community and the State, with the rule of law as its foundation, in order to regain public trust, was all the more resonant given the fragility

of communities and institutions exposed by the COVID-19 pandemic.

122. In June 2021, the Philippines and the United Nations had signed the first-ever national-level United Nations joint programme on human rights, which embodied partnership, trust-building and constructive engagement with regard to the promotion and protection of human rights. The programme would cover the strengthening of domestic investigation and accountability mechanisms; data-gathering on alleged violations; civic space and engagement with civil society and the Commission on Human Rights; a national mechanism for reporting and follow-up; counter-terrorism legislation; and human rights-based approaches to drug control. The Philippines had also partnered with United Nations agencies to receive gender-sensitive and human-rights-based policy and legislative advice on a range of issues, including comprehensive and sustainable prevention and response strategies for women and children associated with terrorism.

123. Throughout the pandemic, the Philippines had continued to advance security and justice for its population, including by taking steps to ensure access to justice through “new normal” trials, videoconferencing, online hearings and e-inquests. Thanks to such measures, populations vulnerable to the virus, including persons deprived of liberty, had been accorded due process and, where relevant, promptly released.

124. Her delegation noted the efforts of the United Nations to address the national and international dimensions of the rule of law in a balanced manner, as described in the Secretary-General’s report, and also the impact of the pandemic on United Nations processes related to the codification and development of international law, including the postponement of the sessions of the International Law Commission and the fourth intergovernmental conference on 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. Her delegation also noted that, despite the pandemic, the international tribunals had continued to operate.

125. International rule of law was shorthand for compliance with international law, including the decisions of tribunals. Dispute resolution proceedings clarified rights and obligations and facilitated relations in accordance with the general obligations of good faith. Her delegation reaffirmed that States should abide by their obligations under international law, and requested

that the Secretary-General also examine compliance in his future reports on the topic.

126. Her delegation recalled the joint communiqué of the 54th ASEAN Foreign Ministers’ Meeting, in which the States members of ASEAN had reaffirmed the need to pursue the peaceful resolution of disputes in accordance with the universally recognized principles of international law, including those set out in the United Nations Convention on the Law of the Sea. The Philippines remained mindful of its obligations and commitments under the Charter of the United Nations, as had been confirmed in the Manila Declaration on the Peaceful Settlement of International Disputes.

127. Her delegation recognized the role of the General Assembly, and the International Law Commission as its independent expert subsidiary organ, in the progressive development of international law and its codification. Given the increasing importance of the work of the Commission, including on topics such as sea-level rise in relation to international law, peremptory norms of general international law and general principles of law, the Philippines had, for the first time in 20 years, put forward a candidate for election to the Commission.

128. Her delegation supported the recommendation that the Sixth Committee should consider the subtopic “Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda” at the seventy-sixth session.

129. **Mr. Abdelaziz** (Egypt) said that all United Nations activities to strengthen the rule of law should align with the approaches on which consensus had been reached among Member States, while avoiding the imposition of concepts that did not enjoy consensus.

130. At the national level, his Government had taken numerous measures to strengthen and support the various pillars of the rule of law, uphold citizens’ rights and ensure access to justice. It had reorganized the High Committee for Legislative Reform, granting it responsibility for ensuring that draft laws, decisions and implementing regulations were aligned with the needs of society, simplifying the litigation system and establishing a system to assess the social and economic impact of draft laws and decisions.

131. Given the close link between combating corruption and strengthening the rule of law, his Government had taken numerous additional measures to combat corruption in line with its second national anti-corruption strategy, covering the years 2019–2022. The strategy included legislative, institutional, educational and capacity-building measures, identified key opportunities and challenges and set out objectives for



ensuring the enjoyment of all civil, political, economic, social and cultural rights, including the rights of women, children, persons with disabilities, youth and older persons.

132. Egypt had long been a firm supporter of efforts to strengthen the rule of law at the international level through the application of the fundamental principles of international law that underpinned the work of the United Nations. To that end, his delegation had played a leading role in the work of the Special Committee on Principles of International Law concerning Friendly Relations and Cooperation among States.

133. On all international matters that affected Egypt, Egypt always turned first to the Charter of the United Nations and the various bodies of the United Nations. That was why it had recently called on the Security Council to assume its responsibility in the area of international peace and security with regard to the dangers posed by the Grand Ethiopian Renaissance Dam project to the lives of some 150 million Egyptian and Sudanese citizens. Egypt had requested the Security Council to put an end to all unilateral measures by Ethiopia that posed a threat to international peace and security and to compel Ethiopia to abide by the established rules of international law on the management of transboundary rivers. Egypt welcomed the recent statement on the topic by the President of the Security Council ([S/PRST/2021/18](#)) and called on Ethiopia to comply with its provisions so that a legally binding agreement on the filling and operation of the dam could be reached within a specific time frame.

134. Egypt took note of the Secretary-General's suggestion that the Committee should consider the subtopic "Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda" at the seventy-sixth session and looked forward to learning more about the topic during the Committee's discussions.

*The meeting rose at 1 p.m.*