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## Sixth Committee

### Summary record of the 8th meeting

Held at Headquarters, New York, on Friday, 7 October 2022, at 3 p.m.

*Chair:* Mr. Leal Matta (Vice-Chair) ..... (Guatemala)

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*In the absence of Mr. Afonso (Mozambique), Mr. Leal Matta (Guatemala), Vice-Chair, took the Chair.*

*The meeting was called to order at 3 p.m.*

**Agenda item 84: The rule of law at the national and international levels (continued) (A/77/213)**

1. **Mr. Pieris** (Sri Lanka) said that the rule of law was essential for promoting good governance, maintaining political stability, achieving global peace and security, advancing economic and social conditions and safeguarding individual liberties and rights. Promoting the rule of law was not only a stand-alone Sustainable Development Goal, but also a crucial enabler of the other Sustainable Development Goals. Independent, effective and competent judicial systems were the cornerstone of the rule of law, as they provided an appropriate and peaceful means of resolving disputes and ensuring accountability. However, a proper balance between the judicial, executive and legislative branches must always be maintained. The coronavirus disease (COVID-19) pandemic had had a profound impact on governance, justice and the rule of law globally. It had created many new legal challenges at a time when courts around the world were closing, reducing or adjusting their operations, with the most vulnerable groups in society enduring the harshest consequences.

2. As countries battled to contain COVID-19 and respond to its socioeconomic effects, they relied on justice providers to respond to a wide range of concerns. The administrative complexity, slow pace and high costs associated with statutory courts meant that such courts were often unsuited to address such concerns fairly and effectively. In many countries, customary and other non-statutory justice providers, such as community-based courts, were widely used to fill the gap. Such provides also had an important role to play in coordinating containment strategies, sharing assistance and information with communities and responding to violations of rights committed by security services. As those providers might themselves be guilty of rights violations and procedural unfairness, it was critical to understand their role in the wider political and economic context, to ensure that well-intentioned support did not have unintended consequences.

3. The COVID-19 crisis had led to reduced access to justice, a surge in domestic violence and disputes over land, employment and debt, forcing countries to seek rapid and radical policy responses. Many had quickly reduced their prison populations and were experimenting with virtual courts, introducing reforms to address domestic violence, and making greater use of grassroots legal defenders. Sri Lanka had been able to

accommodate diverse cultural, racial and religious differences within its legal system and protect the rights of minorities, women and children through its Constitution.

4. The United Nations had been successful in strengthening the rule of law at the international level through the multilateral treaty processes that had been developed over the years, which had not only helped to advance international law, but had also heightened the need for States to enhance their capacities. Sri Lanka called on all States to ensure the fair and just application of laws and principles agreed upon by them, including the principles enshrined in the Charter of the United Nations.

5. **Mr. Khaddour** (Syrian Arab Republic) said that his country reiterated its reservations about paragraph 86 of the report of the Secretary-General (A/77/213), which contained a reference to the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. His Government rejected and regretted the Secretariat's incomprehensible and unjustified insistence on promoting that mechanism, which had been established illegitimately, in contravention of the provisions and principles of the Charter and the rules of international law, outside the procedural and substantive frameworks provided by the Charter and outside the mandate granted to the General Assembly. Its creation had not been at the request of the Security Council and had not involved consultation and coordination with the State concerned.

6. Strengthening the rule of law nationally and internationally was a principle deeply rooted in the Syrian constitutional and legal system. The Government was continuously reviewing and making the necessary amendments to its national criminal, civil and personal status laws, and had taken measures to align its laws with international instruments such as the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities. The Government had recently repealed certain criminal penalties, such as hard labour, and had enacted anti-terrorism and anti-money-laundering laws. It was working to implement the constitutional principles of equality before the law, and the right to continuous training for judges and judicial and legal staff, and had issued many criminal pardons over the past 10 years.

7. With respect to international cooperation in combating crime, the Syrian Arab Republic was a party to bilateral and regional agreements on judicial cooperation in criminal and civil matters and the extradition and transfer of offenders. All States should ensure the primacy of the rules of international law, particularly those of the Charter, in accordance with its Article 103. They should also respect the principle of the sovereign equality of States, to ensure that the rules governing international relations were applied in accordance with the principles and purposes of the Charter and in a manner that aligned with national legal rules.

8. Currently, however, some Governments were seeking to impose laws at the international level through unilateral coercive measures that violated international law, on the pretext of imposing the rule of law and promoting human rights, even though those measures amounted to systematic economic terrorism targeting specific peoples around the world. The Governments were also seeking to impose those measures through selective and dubious interpretations of international law and the adoption of laws that allowed their national jurisdiction to be extended to the citizens and officials of other countries, in contravention of the rules of jurisdiction established in international law. Some Governments insisted upon employing the concept of universal jurisdiction in a selective manner that was not in compliance with the principle of non-impunity and that served only the special interests of those States.

9. Lastly, in order to consolidate the rule of law at the national and international levels, the international community must engage in effective cooperation to ensure that international law was interpreted in good faith, without any selectivity or politicization, in a framework of consensus, mutual understanding and consideration of the concerns of all States.

10. **Mr. Alfqaan** (Kuwait) said that his delegation agreed with the assessment in the report of the Secretary-General (A/77/213) that the rule of law was the foundation of a fair and just society, a guarantee of responsible government and independent and accessible justice, and a core component of peace, security and sustainable development. Current challenges, such as the climate crisis and the COVID-19 pandemic, threatened to undermine enforcement of the law and to encourage impunity, resulting in violations of human rights, the erosion of the independence of judicial and democratic institutions and the loss of the most basic freedoms.

11. Respect for the rule of law was built into his country's constitutional democratic system, built on the

principles of separation of powers and equality among individuals in terms of rights, duties and freedom. Kuwait supported all United Nations initiatives and measures to promote the rule of law in conflict and post-conflict settings, judicial reform; capacity-building, combating of corruption, crime prevention, curbing of armed violence, transitional justice and constitution-making. It also backed efforts to enhance access to justice through United Nations assistance to the States that needed it most. Kuwait commended United Nations efforts aimed at strengthening justice and accountability for serious crimes pursuant to international resolutions and instruments.

12. At the international level, Kuwait was committed to upholding international principles and respecting laws and agreements. It supported efforts to develop international instruments, norms, standards and rules to keep up with rapidly evolving global developments. The gross and repeated violations perpetrated by the Israeli occupation authorities in Palestinian territory through the continued construction of illegal settlements and targeting of infrastructure, civilian clinics and the civilian population, in disregard of international legitimacy, undermined international law. More effort should be made and all measures taken to ensure respect for the rule of law and support the enforcement of United Nations resolutions, with a view to strengthening justice and achieving international peace and security.

13. **Mr. Giorgio** (Eritrea) said that the principles of respect for sovereignty and territorial integrity of States and non-interference in their internal affairs, enshrined in the Charter of the United Nations, should be observed by all in order to ensure peace and security, socioeconomic progress and justice. The frequent and growing use of unilateral coercive measures as a foreign policy tool was a concern in international law. The use of such measures as retaliation against States that took an independent political stance was counterproductive and undermined the rule of law at the international level. As such measures had no legal basis, they should be addressed in a collective manner, in order to build trust in multilateralism and among multilateral institutions.

14. The national law of Eritrea was founded on the core principles of respect for human dignity and protection of fundamental rights. The Government had taken measures to enhance access to justice by ensuring that minor civil cases were adjudicated in lower-level courts. It was also currently implementing a comprehensive strategy that included the introduction of an efficient legal aid system; the promotion and institutionalization of out-of-court dispute resolution mechanisms; enhancement of ongoing awareness-raising efforts; implementation of uniform standard

procedures; and prescription of alternative punishments for offenders. The strategy also aimed to enhance the quality of justice by strengthening the justice sector's institutional capacities and facilitating public access to justice in keeping with the country's historical, social, economic and cultural norms and practices.

15. His delegation supported the United Nations activities aimed at strengthening the rule of law at the national and international levels, provided that there was full recognition of the importance of national ownership and the need for those activities to be carried out at the request of interested Member States.

16. **Ms. Abu-ali** (Saudi Arabia) said that her country commended the Secretary-General for taking a balanced approach to the national and international dimensions of the rule of law in his report ([A/77/213](#)), and for referring therein to the concerted action by the United Nations to assist Member States, at their request, to promote the rule of law. Her delegation regretted, however, his indication in paragraph 64 of the report that the United Nations had supported the Group of Governmental Experts on torture-free trade to examine the feasibility of possible common international standards on the trade of goods used for capital punishment and torture. The application of the death penalty did not contravene international law or international instruments, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, there was no international consensus on the abolition of the death penalty and each country had the sovereign right to apply the death penalty in accordance with its legal system and penal code. Therefore, the death penalty should not be conflated with torture.

17. States had the shared responsibility to address domestic and international challenges to the rule of law, which was only possible through the development of strong measures stemming from good governance and individual and institutional accountability. Understanding the dire consequences of economic and social corruption, and in order to achieve the priorities of its Vision 2030 campaign, the Government had taken measures to enhance integrity and accountability, introducing essential reforms and laws to prevent all forms of corruption, including financial and administrative corruption.

18. The Kingdom was committed to establishing a legal system based on the principles and purposes of the Charter in order to achieve international peace and security. As the rule of law could be achieved only through effective multilateralism, it appreciated the efforts of the International Law Commission and stressed the need for the rule of law to be applied

nationally and internationally in order to achieve security, stability and justice.

19. **Mr. Ikondere** (Uganda) said that the rule of law was the key principle underlying the sovereignty equality of States. It was especially important to uphold the rule of law in times of crisis, such as the COVID-19 pandemic. Owing to its cross-cutting nature and effects, the pandemic had affected every part of the world and all sectors of society and remained a major impediment to the effective functioning of justice systems. The international community was compelled to find innovative ways to ensure the continued functioning of those systems.

20. The principles and rules of international law were indispensable for preserving and strengthening the rule of law at the international level. States should continue to renew their pledge to uphold, preserve and promote the purposes and principles of the Charter in order to promote full respect for international law. In his report entitled "Our Common Agenda" ([A/75/982](#)), the Secretary-General had highlighted the need to renew the social contract between Governments and their people and within societies so as to rebuild trust and embrace a comprehensive vision of human rights. That need could be achieved at the national level by fostering a culture of good governance for the purpose of combating discrimination, xenophobia, violence and inequalities and of safeguarding human rights and fundamental freedoms. Uganda looked forward to the Secretary-General's new vision for rule of law assistance, which was currently in development.

21. Uganda remained committed to international law and the rule of law, which included enabling and encouraging the progressive development of international law. The International Law Commission played an important role in that regard. Appropriate follow-up by States, in the framework of the Committee, to draft articles prepared by the Commission needed to be ensured. The work of the Commission, including its reflections on existing customary international law and its preparation of legal solutions to pressing international topics, contributed to ensuring legal certainty.

22. **Ms. Al-thani** (Qatar) said that the rule of law was essential to the realization of the purposes for principles of the Charter, which entailed equality, mutual respect and cooperation among States, and the establishment of a rules-based system. Its importance had been underscored in numerous instruments and declarations, including the 2005 World Summit Outcome and the declaration on the commemoration of the seventy-fifth anniversary of the United Nations. Qatar, through

reliance on international standards and norms, continued to strengthen its institutions responsible for upholding the rule of law and to increase social awareness of it in order to achieve equality and justice. It also did its utmost to harmonize its national laws with international instruments concerning the rule of law.

23. In order to strengthen the rule of law at the national and regional levels, Qatar placed special importance on the achievement of Sustainable Development Goal 16 by supporting strategies and efforts aimed at achieving peaceful and conflict-free societies and preventing the marginalization of poor communities. It had also entered into a partnership with the Special Representative of the Secretary-General for Children and Armed Conflict to establish the Analysis and Outreach Hub of the Office of the Special Representative in Doha.

24. In 2012, Qatar, in cooperation with the United Nations, had founded the Rule of Law and Anti-Corruption Centre in Doha, which held seminars, workshops and academic programmes for specialists throughout the region. Her delegation also noted the educational and awareness-raising role played by the Sheikh Tamim Bin Hamad Al Thani International Anti-Corruption Excellence Award, which had been founded in 2016 and was awarded annually on International Anti-Corruption Day to organizations and individuals from around the world.

25. **Ms. Getachew** (Ethiopia) said that a predictable legal system with competent and legitimate legislative bodies and an independent judiciary was a cornerstone of national governance. During the COVID-19 pandemic, State institutions had faced unprecedented disruptions, which had had a severe impact at the individual and community levels. In addition, fundamental democratic and constitutional processes, such as elections, had had to be postponed in several countries, including hers, where the independent and competent institutions and constitutional mechanisms established prior to the pandemic had nevertheless facilitated the subsequent holding of free, fair, credible and democratic national elections with record voter turnout.

26. For Ethiopia, the previous year had been one of unprecedented challenges. Attacks on federal institutions by a lawless criminal group with a clear motive to undermine peace, stability and the fledgling democracy had had to be addressed. Through the rule of law and competent institutions, the Government had taken the proper measures to address the conflict and its effects. It had reviewed its laws and law enforcement institutions and introduced practical measures to

promote the impartiality, integrity and competency of its judicial system. It had also established an advisory council for law and justice reform, tasked with researching best practices from other jurisdictions and preparing a draft statute for the reform of the justice system. Many of the country's laws, including those relating to anti-terrorism, the media and national elections, had been revised and a new law had been enacted to strengthen freedom of association. Various areas of law enforcement, including court administration, the public prosecution service and the federal and regional police forces, had been reformed to enhance access to justice and trust in the legal system.

27. Serious challenges to the rule of law at the international level and in global institutions remained, including unilateral coercive measures, weak international cooperation, the biased interpretation and application of international norms and treaties, and the indisposition to serve justice. The United Nations and regional organizations should work with Member States, upon the latter's request, to enhance efforts aimed at finding home-grown solutions to the challenges confronting the rule of law. Ethiopia was working with States members of the Intergovernmental Authority on Development to ensure the rule of law and justice in its region.

28. **Mr. Pedroso Cuesta** (Cuba) said that his Government was committed to promoting the 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. Cuba noted with concern the broadening capacities granted to the Global Focal Point for the Rule of Law, a mechanism that did not have a mandate granted by the Committee, which was the competent forum for considering issues related to the rule of law.

29. True rule of law would begin with a reformed United Nations that set a standard for transparency, democracy and participation of all Member States 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 clearly respect the functions of the main bodies of the Organization, with their balanced functions and powers. 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.

30. 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 of 2012 that true rule of law meant democratization of the international economic, monetary and financial institutions to serve the development of peoples and not the permanent enrichment of global ruling elites. After adopting a new Constitution in 2019, Cuba was currently updating its laws to strengthen and fine-tune the rule of law and social justice. It was also reforming its political system in order to consolidate and develop the fundamental rights for its citizens, as exemplified by the recent introduction, by people's referendum, of a new Family Code.

31. Those national efforts were, however, deliberately hampered by the United States policy of destabilizing and subverting the political system chosen by the Cuban people. His delegation wished to draw attention to the worsening economic, trade and financial embargo that was being imposed against Cuba by the United States as part of its policy of pressure and intimidation. Cuba also condemned the manipulative media campaign, promoted by the United States, which included a call to violence and acts of vandalism that qualified as terrorism. 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. As socioeconomic development was essential to the achievement of the rule of law in every country, Cuba called for the immediate revocation of all the extraterritorial provisions constituting the embargo imposed on it by the Government of the United States for six decades. Cuba also denounced the double standards of certain countries that appeared to promote the rule of law at the international level while violating its principles.

32. **Mr. Prytula** (Ukraine) said that ensuring people-responsive rule of law and justice systems should always remain a priority for the Organization. Challenges to the rule of law remained on almost every front, in the form of widespread conflicts; violations of international humanitarian law and international human

rights law, including conflict-related sexual violence; and impunity for war crimes, crimes against humanity and genocide. The promotion and protection of the rule of law were essential in order to overcome existing challenges, restore trust in democratic principles, and ensure the protection of human rights and timely delivery of justice for all.

33. Ukraine, in accordance with Article 51 of the Charter, was exercising its right to self-defence to repel Russian aggression. However, the rule of law remained an effective tool at the international level to defend sovereignty and territorial integrity and to advance the protection of human rights. Ukraine was committed to the peaceful settlement of international disputes based on the Charter and international law, including those resulting from foreign armed aggression. Within two days following the full-scale armed invasion by Russia, on 26 February 2022, Ukraine had submitted a case against Russia to the International Court of Justice concerning allegations of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide. The Court had ordered Russia to immediately suspend its so-called military operations. Predictably, Russia had shown the same complete disregard for that legally binding ruling as it had shown for other orders by that Court, the Charter and General Assembly resolutions and international law in general. Responding to the attempted annexation by Russia of the newly occupied parts of Ukrainian territory, his Government had officially informed the Court that Russia had blatantly violated its legally binding order on provisional measures of 16 March 2022.

34. In addition to the cases referenced in his report (A/77/213), the Secretary-General should also present a follow-up on the implementation of the decisions of international courts and tribunals, to reflect the real commitment of States to the rule of law. Although Ukrainian counteroffensives were continuing successfully, nearly one fifth of the territory of Ukraine remained occupied by Russia. In recently occupied areas, Russia was reproducing the same patterns it had been using since 2014 in the temporarily occupied Crimea and parts of the Donetsk and Luhansk regions by appointing occupation administrations and imposing Russian passports and Russian law.

35. Although Russia was talking about negotiations, it was announcing military mobilization and sham referendums in the temporarily occupied territories of Ukraine. The unlawful attempt by Russia to annex the territories was a serious aggravation of its war of aggression against Ukraine. It had clearly demonstrated that all of the signals by the Kremlin indicating readiness for negotiations were only a cover for armed



aggression. His delegation was grateful to the Secretary-General for stating clearly and explicitly to the press on 29 September 2022 that “any decision to proceed with the annexation would have no legal value and deserves to be condemned. It cannot be reconciled with the international legal framework. It stands against everything the international community is meant to stand for. It flouts the purposes and principles of the United Nations. It must not be accepted”.

36. After another veto by Russia of the draft resolution aimed at condemning the attempted illegal annexation of parts of Ukrainian territories, Ukraine had called for the eleventh emergency special session to be resumed the following week for consideration of a draft resolution. Ukraine counted on Member States to support that resolution, which would also constitute support for the Charter and international peace and security.

37. As if the invasion itself had not been atrocious enough, Russian troops continued to systematically violate the norms of international humanitarian law and international human rights law in Ukraine through deliberate and indiscriminate attacks on civilians; the use of civilians as hostages and human shields; executions and rape; forced conscription and kidnapping; attacks on medical personnel and facilities; and the use of banned weapons. Russia was continuing the practice of the illegal mobilization and conscription into the Russian Armed Forces of residents of the temporarily occupied territories of Ukraine, who were actively used in Russian offensive military actions against Ukraine. In the Autonomous Republic of Crimea and the city of Sevastopol, that mobilization campaign disproportionately targeted Crimean Tatars, who were disloyal to the Putin regime and openly called for its overthrow and for de-occupation.

38. The Vienna Declaration and Programme of Action reaffirmed the importance of effective international measures to guarantee and monitor the implementation of human rights standards in respect of people under foreign occupation, and effective legal protection against the violation of their human rights, in accordance with human rights norms and international law, particularly the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 14 August 1949, and other applicable norms of humanitarian law.

39. All Russian perpetrators of war crimes and crimes against humanity would eventually be held accountable as a matter of principle and of the rule of law. War crimes and crimes against humanity committed during the Russian war against Ukraine were being investigated

by Ukraine and other States, as well as by the International Criminal Court. The referral by 43 States of the situation in Ukraine to the jurisdiction of the Court and the consent of Ukraine to the Court’s jurisdiction over crimes committed during the armed conflict since 2014 provided a solid basis for the work of the Office of the Prosecutor of the Court. Ukraine was strongly committed to cooperating with the Prosecutor in his efforts. However, neither the Court nor any other existing court or tribunal could judge the top political and military leadership of Russia for the crime of aggression against Ukraine.

40. For that reason, Ukraine was working on the establishment of a special tribunal for the crime of aggression against Ukraine. Justice for victims required not only accountability for the perpetrator, but also compensation for their suffering. To that end, Ukraine was working on the establishment of a comprehensive international mechanism for compensation of damages stemming from the Russian invasion of Ukraine. Ukraine contemplated, as a first step, the establishment of a register that would aggregate information about claims for damages on a preliminary basis and serve as a repository of contemporaneous evidence of damage caused to Ukraine and Ukrainians.

41. **Ms. Lito** (United Kingdom) said that human rights, democracy and the rule of law were the foundations of open, stable and prosperous societies. The United Kingdom promoted and defended democracy, human rights and the rule of law through its membership of various international organizations and through activities at the national and international levels. The unprecedented circumstances resulting from the COVID-19 pandemic had compelled all countries to find new ways to ensure access to justice and to the continuing resolution of disputes. The United Kingdom and other countries had been able to respond to the challenge by adopting technology to support virtual hearings in courts and tribunals. Sadly, many countries had also used the pandemic as a pretext to increase pressure on those who defended the rule of law, including human rights defenders, journalists and legal practitioners.

42. During the pandemic, some countries had introduced legislative measures that limited individual rights and restricted access to justice and fair trials, damaging the relationship between Governments and their citizens. Confidence in the rule of law had been eroded, often by the very institutions charged with protecting individual freedoms. The manipulation of technology for the purposes of criminality, information suppression or misinformation demonstrated the need

for an independent judiciary that upheld the rule of law and ensured the impartial administration of justice.

43. New challenges had emerged in the wake of the pandemic, such as ensuring that the public had confidence in the institutions that implemented and protected the rule of law, and helping communities rebuild through the incorporation of a people-centred justice approach that focused on the rights and freedoms of individuals. It was also necessary to demonstrate that the system worked for, and not against, individuals. The most vulnerable, in particular victims of domestic violence and conflict-related sexual violence, had been disproportionately affected by the pandemic and must be guaranteed access to justice. The United Kingdom continued to support access to survivor-centred justice for the victims of conflict-related sexual violence. It had supported creative initiatives regarding access to justice and dispute resolution, including remote hearing capabilities and online access to service systems. A combination of in-person and remote cooperation would help those who needed access to justice.

44. The United Kingdom strongly supported accountability for the violations of international law suffered by Ukraine and its people and for the violation by Russia of the Charter. The use of force against the territorial integrity or political independence of a State, as well as the recent attempt to annex Ukrainian territory through sham referendums, were incompatible with international rule of law and must entail consequences for Russia. The United Kingdom supported capacity-building within Ukrainian justice systems and the work of the International Criminal Court in ensuring accountability for the perpetrators of atrocities committed in Ukraine.

45. **Ms. Narváez Ojeda** (Chile) said that one of the greatest challenges of the twenty-first century for the international community was to strengthen the international legal order and the rule of law. The COVID-19 pandemic had created grave socioeconomic, political and legal challenges and tested the rule of law at the national and international levels. At the national level, while a pandemic created an environment that allowed for swift and effective law-making by Governments, it also put citizens in life-and-death situations. However, even in such circumstances, Governments always had to uphold the fundamental values of the rule of law and democracy.

46. Inevitably, the pandemic and the measures taken to respond to it had affected freedom and access to justice and education, and situations of domestic violence and poverty had been accentuated. In such contexts, it was important to see the rule of law as a

framework to ensure the legitimacy of the restrictive measures taken, and to avoid an imbalance of power, for instance in favour of the executive branch. The measures taken should be unquestionable in their meaning and impartial and consistent in their application. The constitutional framework played a fundamental role in such situations, because any restrictions of constitutional rights that were required had to be based on the rule of law. The pandemic had had a particularly strong impact on vulnerable groups, such as women, children, the elderly and persons with disabilities, lesbian, gay, bisexual and transgender groups, and refugees and undocumented migrants. It had also revealed the interconnectedness of the various human rights, something which must be borne in mind in decision-making concerning minorities and other marginalized groups.

47. One of the challenges faced by some States such as Chile was how to hold successful popular elections given the restrictive measures adopted during the pandemic. Chile had managed to overcome that challenge through a peaceful, inclusive and democratic process in accordance with its Constitution and the rule of law, with steady communication about the pandemic and the measures adopted in response. In order to preserve the rule of law during a pandemic or similar situation, Governments should allow citizens to participate more in decision-making, communicating with them at all times to ensure that they understood the measures that needed to be taken.

48. Promotion of the rule of law at the international level involved the gradual and universal acceptance by States of international law and the consequent fulfilment of their obligations in that regard. Chile therefore welcomed the activities undertaken by the United Nations to promote the rule of law at the national and international levels during the pandemic. The United Nations, in particular the General Assembly, should continue to ensure that Member States fulfilled their obligation to take measures at the domestic level to comply with international law.

49. Chile welcomed the decision by the General Assembly to negotiate an international instrument aimed at strengthening the prevention, preparation and response to pandemics. It hoped that that process would lead to the establishment of an international protection framework based on the principles of equity, respect for human rights, solidarity and international cooperation. Lastly, her delegation welcomed the strategic plan of action offered by the Secretary-General in his report entitled "Our Common Agenda" (A/75/982) and shared his new vision for the rule of law, which built upon Sustainable Development Goal 16 and the declaration of



the high-level meeting of the General Assembly on the rule of law at the national and international levels of 2012.

50. **Ms. Aydin Gucciardo** (Türkiye) said that the rule of law was the foundation of a fair and just society and an essential component of peace, security and sustainable development. In his report entitled “Our Common Agenda”, the Secretary-General had promised to promote the rule of law through a holistic and people-centred vision that built upon Sustainable Development Goal 16. Her delegation appreciated the steps taken towards crafting that vision, and had been pleased to participate in a conference that had facilitated constructive dialogue between States towards the achievement of Goal 16.

51. Türkiye also took note of the Goal 16 survey initiative and the integrated methodology developed by the Secretariat for collecting data on survey-based indicators. It appreciated United Nations efforts to promote the rule of law in conflict and post-conflict settings, including in relation to women’s access to justice and the promotion and protection of women’s and children’s rights. Restoring the functioning of effective, transparent and inclusive justice institutions in accordance with international norms and standards in the aftermath of conflict would help to prevent future instability.

52. Vulnerable groups such as women, girls and persons with disabilities suffered from unequal access to justice. Türkiye therefore welcomed efforts aimed at eliminating such inequalities globally, including through improved access to gender-responsive legal aid and the training of security and justice personnel in certain regions. It was pleased that the United Nations continued to prioritize the provision of such support upon request.

53. Tackling corruption, terrorism and organized crime through international and regional cooperation was extremely important for building social trust and resilience. Her Government therefore welcomed United Nations support and technical assistance provided to Member States in that regard as well as the adoption of the United Nations Convention against Corruption. Conscious of the importance of ensuring accountability for crimes committed against peacekeepers, her delegation welcomed the reference in the report of the Secretary-General (A/77/213) to Security Council resolution 2589 (2021) on strengthening accountability for crimes against peacekeepers, of which it had been among the sponsors.

54. The COVID-19 pandemic had proven to be the most complex global emergency in recent history,

testing the international community’s resilience in upholding the rule of law. Türkiye welcomed the consensus reached in 2021 under the auspices of the World Health Organization to begin the process of drafting an international instrument to strengthen pandemic prevention, preparedness and response. The pandemic had forced countries to think critically and adapt their priorities and approaches. Türkiye, for example, had adopted strategies to mitigate the impact of the pandemic on the justice system, including with regard to arrest and prosecution, e-filing and virtual hearings, and training for law enforcement personnel at correctional facilities.

55. **Mr. Suleiman** (United Republic of Tanzania) said that the rule of law was the foundation of a fair and just society, a guarantee of responsible government and independent, accessible justice, and a core component of peace, security and sustainable development. His Government had upheld the rule of law by facilitating access to justice for all, regardless of social, political or economic status. It had established integrated justice centres to enable citizens to access the high courts, magistrates’ courts and primary courts in one location, and had started implementing its second five-year strategy to reform the child justice system. His delegation welcomed United Nations support for the development of a bench book to guide decision-makers on matters related to rights, justice and security for women and children in Tanzania.

56. The Constitution of Tanzania provided that all persons were equal before the law and entitled to protection. It prohibited any authority in the country from enacting provisions that were discriminatory in themselves or in effect. In order to fulfil its obligations under its Constitution and various international human rights treaties, Tanzania had presented its third national report to the Human Rights Council Working Group on the Universal Periodic Review in November 2021. The Government had subsequently agreed to implement the 167 recommendations of the Working Group, which aligned with its policies, laws and programmes on the promotion and protection of civil, political, economic, social, cultural and human rights, its anti-corruption efforts and its environmental conservation and development priorities.

57. His delegation called on other delegations, when considering the subtopic of using technology to advance access to justice for all, to take into account the challenges associated with access to justice in most developing countries. Tanzania had been harnessing technology to enhance access to justice by establishing videoconferencing facilities in all district and magistrates’ courts, all high court registries and all

regional prisons. In 2021, the Chief Justice of Tanzania had issued rules on remote proceedings and electronic recording which had empowered courts, at their discretion or at the request of either party, to order that proceedings be conducted remotely.

58. **Mr. Mohamed** (Sudan) said that his delegation commended how, as detailed in the report of the Secretary-General (A/77/213), the United Nations had supported Member States, at their request, in promoting the rule of law and ensuring respect for the human rights of all. It was essential to maintain and strengthen multilateral partnerships and build on the commitment made by Member States and their partners to meet the expectations of their populations concerning the rule of law and the attainment of the Sustainable Development Goals. His Government had been working to overhaul its laws and align them with international standards and agreements. It had adopted measures to promote human rights, repeal repressive laws, strengthen the role of women in society, guarantee freedom of opinion, expression and peaceful assembly, and combat impunity.

59. The rule of law at the national and international levels depended on the peaceful settlement of disputes. A clear and transparent mechanism enabling all Member States to engage with the activities of the Secretariat should therefore be put in place. Strengthening the rule of law should be a joint endeavour; it was important to seek consensus, avoid imposing any specific model, and strike a balance between the national and international dimensions of the rule of law. There was a pressing need for a programme to build national capacities, provide technical assistance and allow for the exchange of experiences in that area.

60. **Mr. Tamaura** (Japan) said that the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (Declaration on Friendly Relations) and the provisions of the Charter could serve as a foundation from which three basic principles for the promotion of the rule of law could be drawn. First, States should avoid rule by force and pursue the rule of law by observing international law in good faith. That principle was reflected not only in Article 2 (4) of the Charter, which called on all Members to refrain from the threat or use of force as a means of settling international issues, and in Article 2 (2), which called on all Members to fulfil in good faith the obligations assumed by them in accordance with the Charter, but also in the Declaration on Friendly Relations, which referred to the paramount importance of the Charter in the promotion of the rule of law among nations.

61. Second, States should not allow any attempts to change the status quo of territories by force or coercion. The Declaration on Friendly Relations clearly condemned the acquisition of territory by force and stipulated that no State should use coercive measures in order to obtain from another State the subordination of the exercise of its sovereign rights and to secure from said State advantages of any kind. Rules of international law relating to the legal status of territory had been developed through the jurisprudence of international tribunals. While some might argue that there was ambiguity in the rules of international law relating to the status of territories, there should be no military or other coercive attempts to change such status if States observed in good faith the existing rules of international law.

62. Under Article 2 (3) of the Charter, States were obliged to settle disputes over territories by peaceful means rather than by force or coercion. Some States might also attempt to invoke the right to self-defence to justify the use of force. However, where a territory had been administered peacefully, the right to self-defence could not be invoked to deny peaceful administration. In addition, the right to self-defence under Article 51 of the Charter should be invoked only against an armed attack and within the requirements of necessity and proportionality.

63. Third, States had a duty to cooperate to address serious violations of the principles of the Charter. The Security Council had primary responsibility for the maintenance of international peace and security and, under Article 2 (5) of the Charter, Member States had the obligation to give assistance to any action taken by the Council. However, if the Council, owing to a lack of unanimity among its permanent members, failed to exercise its primary responsibility in a case of apparent threat to the peace, breach of the peace or act of aggression, the General Assembly could make recommendations to Members for the maintenance of international peace and security under its uniting for peace resolution. The Declaration on Friendly Relations also referred to the duty of States to cooperate with other States, within their capacity, to end any attempt to acquire territory through the use of force that was considered by the General Assembly to violate Article 2 (4) of the Charter.

64. Japan had been playing an active role in advancing the rule of law by providing both human and financial resources for the reinforcement of international judicial organizations, such as the International Court of Justice, the International Tribunal for the Law of the Sea and the International Criminal Court. As a member of the Security Council as of January 2023, Japan would be

attentive to all voices and would redouble its efforts to fortify the rule of law at the international level.

65. **Ms. Ajayi** (Nigeria) said that the COVID-19 pandemic had hampered access to justice, thereby posing a challenge to the rule of law. Sustainable efforts were needed to enhance the promotion of the rule of law in the light of the setbacks caused by the pandemic. States must put in place measures that would foster a just and equitable world in which the rule of law could not be compromised. In that regard, her delegation commended the sustained initiative of the United Nations to promote the rule of law and transitional justice in conflict and post-conflict societies globally. Adherence to the rule of law entailed observance of the principles of supremacy of the law, equality before the law, accountability to the law and fairness in the application of the law. It was also essential for social and economic development, political representation and participation, security, public order, peaceful co-existence and the prevention of armed conflict.

66. Nigeria, in its national jurisprudence, recognized the rule of law as a fundamental principle of governance. Its National Human Rights Commission had been established to create an enabling environment for the promotion, protection and enforcement of human rights, in order to foster adherence to the rule of law. The work of anti-corruption agencies such as the Economic and Financial Crimes Commission, the Independent Corrupt Practices and Other Related Offences Commission, the Nigerian Financial Intelligence Unit, the Nigerian Police Force and the Code of Conduct Bureau was meant to ensure that due process was always observed. To achieve that goal, the Government had also enacted laws relating to human trafficking, torture, disability and treatment and care for victims of gun violence.

67. At the international level, Nigerian foreign policy was based on the promotion of global security and the protection of the dignity of all persons, in accordance with the regional and subregional instruments embedded in the Constitutive Act of the African Union and the protocols of the Economic Community of West African States. The country's recognition of and membership in the International Criminal Court, the International Court of Justice, the Permanent Court of Arbitration and other international tribunals also confirmed its respect for the rule of law. Promotion of the rule of law for the maintenance of global peace and stability was a collective responsibility. Nigeria called on all States to jointly promote the rule of law as a means of addressing global crises. It would continue to work constructively with other States and relevant multilateral organizations

to promote the rule of law and sustain peaceful coexistence internationally.

68. **Mr. Alajeeli** (United Arab Emirates) said that his country's commitment to the Charter of the United Nations and international law was reflected in its foreign policy, which was founded on partnership, the promotion of the rule of law and support for the Organization's mission of upholding international peace and security. In order to commemorate the fiftieth anniversary of its founding, the United Arab Emirates had announced 10 basic principles that would form the backbone of its strategic approach at the international and national levels for the following 50 years. Those principles were centred on good neighbourliness, which fostered stability through positive economic and political relations based on tolerance and respect for cultures. His country would continue to support international initiatives, instruments and organizations that advocated peace, openness and human kinship.

69. The United Arab Emirates was committed to the full and non-selective implementation of instruments promoting respect for the rule of law, social justice, human rights and equality. It had concluded agreements and memorandums of understanding on legal and judicial cooperation and combatting organized crime. It had also incorporated the rule of law into its Constitution and into its law-making, in order to safeguard basic rights and had introduced an integrated set of laws and executive measures for the protection of women, children, older persons, persons with disabilities, labourers and prisoners.

70. Under the Constitution, all individuals were equal before the law, regardless of gender, race, nationality, religion or social status, with all citizens, residents and visitors enjoying the right to a fair trial in an independent court. The Constitution also guaranteed individual freedoms and rights, prohibited torture, arbitrary arrest and detention and degrading treatment of all kinds, and upheld civil and religious freedoms.

71. His Government believed that enacting laws to promote prosperity, investment and commercial opportunities would foster an environment conducive to stability and economic development. It had adopted measures to ensure access to justice without interruption or delay during the COVID-19 pandemic, and had introduced a process allowing for trials to be held remotely, to expedite judicial services. It had also launched campaigns to raise public awareness of and create a culture of respect for the law and the legal system.

72. **Mr. Chindawongse** (Thailand) said that the rule of law was the bedrock of international relations and

multilateralism and an indispensable tool for peaceful coexistence and cooperation among States. Adherence to the rule of law promoted predictability, which was essential to economic progress and prosperity. Thailand was convinced that a people-centred promotion and respect for the rule of law would help to create a peaceful, inclusive and just world where no one was left behind. It supported United Nations efforts to promote the rule of law through capacity-building, technical assistance and the dissemination of legal knowledge, and recognized the significant contribution of the International Law Commission to promoting the rule of law through its work to progressively develop and codify international law.

73. Thailand supported the promotion of the rule of law through treaty-making and active engagement in creating international norms and standards, exemplified in its membership of the Hague Conference on Private International Law. Thailand, recognizing the important role of international instruments in fostering equality among the parties concerned, supported the development of a legally binding international instrument on pandemic prevention, preparedness and response that prioritized equity in order to ensure the self-reliance of developing countries in times of pandemic. Strengthening the global health architecture and global solidarity in times of crisis was not only mutually beneficial, but also a shared responsibility.

74. In containing the spread of pandemics, countries should strike a balance between the best interests of their people and the observance of fundamental legal principles. In responding to the COVID-19 pandemic, Thailand had therefore embraced a whole-of-society approach, with the involvement of community-based volunteers. Given the importance of legal capacity-building, in particular for developing States, his Government was honoured to have organized, through the Thailand International Cooperation Agency, training courses aimed at enhancing the capacities of participating States to adhere to their international obligations, including in the area of health care.

75. Lastly, his delegation wished to offer two possible sub-topics for future debates under the current agenda item: women's empowerment, and the rule of law and the whole-of-society approach.

76. **Mr. Bouchedoub** (Algeria) said that the rule of law was necessary for maintaining international peace and security, protecting human rights and achieving sustainable economic and social development, especially in the light of global challenges such as conflicts, wars, violations of international law, worsening climate emergencies and epidemics. Algeria

strongly supported adherence to the rule of law both nationally and internationally. Such adherence would only be achieved through respect for the rules of international law, including the Charter, which set out the features of the multilateral order, most notably sovereign equality among States, good faith, justice and fairness, non-interference in the internal affairs of States, the right of self-determination, the non-use or threat of use of force in international relations and the peaceful settlement of disputes.

77. In the context of the COVID-19 pandemic, Algeria affirmed the need for international cooperation among States, which should help shed light on the legal gaps in the rules of international law concerning pandemics and enable the development of a unified global pandemic response strategy that guaranteed capacity-building, fair and equitable access to vaccines and the strengthening of trust among States and the World Health Organization. His delegation appreciated the work done by the International Law Commission in accordance with its mandate on the progressive development and codification of international law and called upon the Commission to take into consideration the current challenges to the rule of law when adding new topics to its programme of work.

78. His Government had recently undertaken various institution-building initiatives, including the establishment of advisory and oversight bodies such as a constitutional court, a national authority for transparency and the prevention and combating of corruption, a national civil society observatory and a council for youth affairs. It had also worked to modernize and increase the independence of the justice system and to improve the quality of the services offered, especially through the creation of administrative appeal courts. The Code of Civil and Administrative Procedure had been revised in order to streamline appeal procedures and develop alternative methods of dispute settlement and introduce mobile hearings.

79. **Mr. Al-edwan** (Jordan) said that his country had always stressed the universality of the rule of law and the interdependence between the rule of law at the national level and the rule of law at the international level. At the national level, the rule of law was important for good governance and, at the international level, it provided the political ground for relations among States and was a main component of international peace and security as well as sustainable development.

80. Jordan condemned all violations of international law, international humanitarian law and the Charter of the United Nations, regardless of where they occurred

and without distinction between peoples on their rights to independence, self-defence and defence of their land in accordance with international law. Armed conflicts, especially non-international armed conflicts, led to serious violations of international law, human rights and international humanitarian norms. It was therefore necessary to create effective mechanisms to end such violations, punish the perpetrators and enforce legal accountability for the States responsible. Jordan called for collective action to confront the gravest international crimes such as genocide, ethnic cleansing, torture and crimes against humanity, and reiterated that international law and the Charter prohibited the use of force in international relations, except in cases of legitimate self-defence and with the explicit authorization of the Security Council. Anything else was a breach of international law and constituted military aggression.

81. Respect for the rule of law required the adoption of a just and non-selective approach to violations of international law. The rule of law was the best guarantee of freedom, dignity, prosperity and justice. It was an essential precondition for constructive cooperation between States and led to the peaceful settlement of disputes and to international stability and progress. It was the cornerstone of bilateral relations and therefore deserved universal adherence. A main driver of disregard for the rule of law was double standards in dealing with gross violations of the rights of peoples to self-determination, to safeguard their land and to confront aggression. Peace could not be achieved without redress for the victims, punishment for the perpetrators and legal accountability for the States concerned.

82. **Mr. Aron** (Indonesia) said that the rule of law was indispensable to a peaceful, prosperous and just world and the implementation of the 2030 Agenda for Sustainable Development. It was also deeply embedded in the five guiding principles of Indonesian society. Indonesia strongly opposed the establishment of common international standards on the trade of goods used for capital punishment and torture, as mentioned in paragraph 64 of the report of the Secretary General (A/77/213), as that would be inconsistent with multilateral efforts to combat protectionism. Besides, the General Assembly was not the appropriate body to regulate trade matters.

83. His Government rejected any suggestion that capital punishment was torture and that States that applied it did not adhere to the rule of law. There was no consensus among States regarding the abolition of capital punishment and its use was not prohibited in international law. Indonesia viewed the application of

capital punishment as consistent with article 6, paragraph 2, of the International Covenant on Civil and Political Rights. It believed in the sovereign right of all States to develop their own legal systems, including appropriate legal penalties, in accordance with their international law obligations. The distinct legal and sociological considerations of States that maintained capital punishment must be recognized.

84. In Indonesia, capital punishment was applied with maximum restraint and only as a last resort, through stringent due process of law. Capital punishment was applied for only 16 of the most serious crimes, including terrorism and drug-related crimes, and only when verdicts had permanent legal force, after all appeals and other available legal avenues had been exhausted, and when a request for clemency had been denied. Capital punishment remained important for creating a safer social environment and preventing the most serious crimes.

85. Although the COVID pandemic had disrupted the work of the judiciary, it had also created an opportunity for innovations in judicial systems, including the introduction of online court proceedings, which had helped to promote a more transparent, inclusive and accountable justice system.

86. **Mr. Musayev** (Azerbaijan) said that it was imperative for States to respect the principles of sovereignty and territorial integrity of States and non-interference in their internal affairs. For nearly 30 years, a significant part of the sovereign territory of Azerbaijan had been seized and remained under occupation as a result of Armenian aggression, which had been based on unlawful territorial claims, misinterpretation of legal principles, fabricated historical narratives and racist prejudices. Serious breaches of international humanitarian law had been committed in the course of the war, resulting in the killing of tens of thousands of civilians and ethnic cleansing in all occupied areas. Most captured cities, towns and villages in Azerbaijan had been razed to the ground and thousands of cultural objects and religious sites had been looted, vandalized or destroyed. The aggression had also inflicted long-term, irreversible damage on the natural environment.

87. In 2020, Armenia had used military force and prohibited weapons against densely populated Azerbaijani cities beyond the theatre of active hostilities, killing and wounding hundreds of civilians and destroying or damaging numerous civilian objects. Armenia must redress the harm caused to Azerbaijan and its people, provide full reparation for the injury caused and offer appropriate assurances and guarantees

of non-repetition. Armenia must also investigate offences committed by its armed forces, State organs, State agents and persons acting on the instruction of or under the direction and control of the State; prosecute and punish the perpetrators; and cease and desist from spreading disinformation and disseminating, promoting and sponsoring hate propaganda.

88. At the national level, Azerbaijan had taken concrete measures to investigate and prosecute alleged violations of international humanitarian law. At the international level, in order to ensure accountability for egregious violations of international law committed during the conflict, Azerbaijan had introduced legal proceedings at the International Court of Justice and the European Court of Human Rights, under the International Convention on the Elimination of All Forms of Racial Discrimination and the European Convention on Human Rights, respectively.

89. The need to combat impunity for serious violations of international law was undeniable. Redress served as an essential preventive tool and a prerequisite for genuine reconciliation. The United Nations must continue to mobilize global efforts to fight racism and hatred. Conflict-related violations must be addressed by all available means. The international community must provide support to States affected by conflict and engaged in post-conflict peacebuilding, reconstruction and rehabilitation.

90. **Mr. Abdou Hassan** (Niger) said that his country promoted and defended the rule of law at the national, subregional, regional and international levels. At the national level, its Constitution made the rule of law the core principle underlying government institutions; it upheld the principle of equality, fundamental rights, separation of church and State and separation of powers, and prohibited discrimination. The Government had established a national human rights commission, a national agency to combat trafficking in persons, a national agency for legal assistance and a national authority for the protection of personal data. It had also made strides in stabilizing the country's institutions and combating corruption.

91. At the subregional, regional and international levels, his Government remained attached to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the African Charter on Human and Peoples' Rights. It also recognized the jurisdiction of the African Court on Human and Peoples' Rights, and was currently leading the revision of the Protocol on Democracy and Good Governance of the Economic

Community of West African States. It also supported the adoption of guidelines on constitutionalism and the rule of law within the African Union.

92. **Mr. Nunes** (Timor-Leste) said that his Government believed in building a society based on justice, with the basic needs of its people met in an equal and equitable manner, and in the establishment of strong institutions that would provide a path to economic and social progress and serve as a foundation for health, education and decent work. It was committed to the promotion and protection of human rights and the principles of equality and inclusion. In Timor-Leste, women and men enjoyed equal rights and obligations in all aspects of life and the death penalty was prohibited by law. His Government acknowledged that while it had made significant progress in ensuring that women had equal opportunities to participate in decision-making processes, more remained to be done.

93. Upholding the Charter of the United Nations, international law and the international rules-based order and respect for the territorial integrity, sovereignty and political independence of States and non-interference in their internal affairs were moral obligations. In its deliberations, the Committee should adhere to the values of protecting and defending human rights and the legitimate interests of States at the national, regional and global levels. Timor-Leste had peacefully settled a dispute related to its maritime boundary through the compulsory conciliation mechanism of the United Nations Convention on the Law of the Sea, demonstrating its commitment to promoting peace, cooperation and the rule of law in its region.

94. Despite the progress made, Timor-Leste continued to grapple with daunting challenges, such as harmonizing its formal and customary laws, securing justice and building strong institutions. It was continuing to strengthen its justice system, pursue decentralization and build capable and effective institutions at all levels that promoted inclusiveness, investment and the consolidation of peace and stability. It would therefore welcome the sharing of best practices and experiences that it could use to provide training and capacity-building for the reform of its justice system.

95. **Mr. Milambo** (Zambia) said that his country placed great importance on the rule of law and human rights, and was committed to ensuring the speedy dispensing of justice and widening access to justice for all, especially the disadvantaged. It had therefore enacted legislation to enable civil society organizations, higher education institutions, legal assistants, paralegals and legal practitioners to provide legal aid services. His Government was committed to providing appropriate



infrastructure for the judiciary, strengthening the legal aid system, and developing human and technical capacities in order to advance the rule of law and realize sustainable development.

96. In 2022, Zambia had acceded to the Protocol to the African Charter on Human and Peoples' Rights on the establishment of an African Court on Human and Peoples' Rights. It welcomed ongoing efforts to strengthen international cooperation and endorsed the United Nations common position to address global corruption. The Government of Zambia had increased budgetary allocations to investigation, prosecution and oversight bodies, arrested several high-profile individuals suspected of corruption and recovered stolen assets. It had also established an economic and financial crimes court as a division of the High Court. The Government had adopted legislation to provide protections to children in conflict with the law, keep children safe from violence and combat child sexual abuse and exploitation. The legislation also domesticated international instruments relating to the rights of the child and demonstrated the country's commitment to protecting children's rights.

97. Through its membership in various regional intergovernmental bodies, Zambia continued to advocate and participate in initiatives that sought to enhance, entrench and safeguard the rule of law, accountability, transparency, democratic tenets and peace and security in Africa.

98. **Mr. Sengdalavong** (Lao People's Democratic Republic) said that his Government believed in the rule of law and good governance and therefore focused on such priorities as improving the justice sector and the legislative process, strengthening anti-corruption mechanisms, raising awareness of international conventions, and building the capacities of public officials, law enforcement officers and local authorities. It had also adopted a number of laws to advance legal sector and public administration reform.

99. The Lao People's Democratic Republic was currently a party to more than 100 multilateral treaties deposited with the Secretary-General, more than 300 bilateral treaties and nearly 200 regional treaties, including treaties concluded under the auspices of the Association of Southeast Asian Nations. In fulfilment of its international obligations, it had harmonized more than 150 of its laws and regulations with international treaties.

100. **Ms. Ali** (Maldives) said that the rule of law was the foundation of a fair and just society, a core component of peace and security and a critical tool for the achievement of Sustainable Development Goal 16.

Her Government sought to provide access to justice for all and to build effective, accountable and inclusive institutions at all levels. It had intensified its efforts to end systemic corruption at all levels by adopting a zero-tolerance policy, establishing a whistle-blower portal and enacting legislation to protect whistle-blowers.

101. In 2019, in an effort to foster judicial independence in Maldives, it had adopted more transparent policies to give new candidates equal opportunities when competing for judicial vacancies. It had amended the Judges' Act with an enhanced to introduce a set of rules of conduct and a rule requiring judges to declare their assets, as well as the Judicial Service Commission Act to revamp the procedures for disciplinary hearings against sitting judges. Efforts were under way to reorganize the judicial academy, update curricula and formulate training needs assessments; a comprehensive and consolidated code of civil procedure had also been enacted to improve the efficiency of the civil litigation process.

102. Convinced that free, fair and competitive elections constituted a pillar of a vibrant democratic society, the Government had fully integrated the priorities of citizen participation, promotion of human rights and freedoms and anti-corruption into its Strategic Action Plan 2019–2023 and given the Elections Commission more independence and responsibility. The Government promoted gender equality and combated discrimination and violence against women through the Strategic Action Plan and had passed legislation to ensure that at least one third of local council seats were allocated to women.

103. In fulfilment of its international obligations, Maldives had ratified the Optional Protocol to the Convention on the Rights of the Child and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. It had also declared under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment that it recognized the competence of the Committee against Torture to examine individual complaints, thereby increasing access to justice for its citizens and demonstrating its ongoing commitment to be held accountable for violations.

104. Maldives had also aligned its domestic laws with its international human rights obligations by amending the Anti-Human Trafficking Act and enacting the Child Rights Protection Act and the Juvenile Justice Act, which enhanced the legal framework pertaining to children's rights. It would continue to promote the rule of law both nationally and internationally, in collaboration with its international partners.

105. **Mr. Katz Pavlotzky** (Uruguay) said that States were obliged to resolve conflicts peacefully following pre-established norms and rules. Actions contravening the Charter of the United Nations were unacceptable and should trigger international responsibility, particularly with regard to the most important provisions of the Charter, such as the obligation not to use force against the territorial integrity or political independence of another State and respect for the principle of the sovereign equality of States. The efforts of the international community to promote the rule of law at the national and international levels should include the adoption of disarmament policies, protection of human rights, protection of the most vulnerable, defence of access to impartial, fair and depoliticized justice, respect and support for international courts, delivery of justice, and prevention of impunity for the perpetrators of international crimes.

106. In order to achieve Sustainable Development Goal 16, international law must adapt to changing times. The national laws of States must be compatible with conventional and customary norms and international commitments. States could not avoid their international obligations by claiming that such obligations had not been incorporated into their domestic law. As an example, Uruguay had a law implementing the Rome Statute of the International Criminal Court which called for cooperation with the Court in order to combat genocide, war crimes and crimes against humanity. Uruguay had also been one of the first States to recognize the compulsory jurisdiction of the International Court of Justice.

107. The International Law Commission played an important role in enabling and fostering the continued development of international law, thereby supporting adherence to the rule of law. Appropriate follow-up by States, in the framework of the Committee, to draft articles prepared by the Commission needed to be ensured. The work of the Commission, including its reflections on existing customary international law and its preparation of legal solutions to pressing international topics, contributed to ensuring legal certainty. Both the Committee and the Commission had the capacity to carry out in-depth analyses and formulate well-founded recommendations, taking into account new situations which would have to be addressed through innovative thinking.

*The meeting rose at 6.05 p.m.*