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The rule of law at the national and international levels

Strengthening and coordinating United Nations rule of law activities

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution [77/110](#), provides information on efforts to promote and strengthen the rule of law at the national and international levels as well as on the coordination of United Nations rule of law assistance from 1 July 2022 to 30 June 2023.

* [A/78/150](#).



I. Introduction

1. The present report provides information on United Nations rule of law activities, in accordance with paragraph 5 of General Assembly resolution [63/128](#), and addresses, in a balanced manner, the national and international dimensions of the rule of law, as requested in paragraph 16 of Assembly resolution [77/110](#).

2. On 12 January 2023, the Secretary-General delivered remarks in the Security Council during an open debate on the theme “Promotion and strengthening of the rule of law in the maintenance of international peace and security: the rule of law among nations”. He emphasized that, “from the smallest village to the global stage, the rule of law is all that stands between peace and stability and a brutal struggle for power and resources”¹ and warned of the grave risk of the “rule of lawlessness” taking hold in every region of the world.

3. Indeed, the reporting period saw a global decline in the rule of law and a backsliding of democracy and women’s rights, including in several fragile settings. At the same time, relative progress has been recorded on national criminal accountability and access to justice in several post-conflict settings. A major achievement for environmental rights was the adoption of historic General Assembly resolution [76/300](#), recognizing a clean, healthy and sustainable environment as a human right.

4. To reinforce the centrality of the rule of law in all United Nations activities and enable the Organization to better assist Member States in achieving the Sustainable Development Goals, the Secretary-General promulgated his new vision for the rule of law on 11 May 2023, accomplishing one of the deliverables of Our Common Agenda, as set out below.

II. United Nations activities to strengthen the rule of law

A. Promotion of the rule of law at the national level

1. In focus

The New Vision of the Secretary-General for the rule of law

5. In furtherance of Our Common Agenda, the New Vision of the Secretary-General for the rule of law promotes a people-centred, gender-sensitive and forward-looking approach by the United Nations system and is firmly grounded in the Charter of the United Nations, the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels and the 2030 Agenda for Sustainable Development. The New Vision provides the basis for a renewed commitment to the rule of law and serves to acknowledge the cross-cutting nature of the rule of law, including with regard to all human rights.

6. In the New Vision, the Secretary-General reiterates that the rule of law is the basis for multilateral cooperation and political dialogue. He emphasizes that United Nations rule of law support contributes to enabling the development of just and equitable societies with strong institutions that protect populations both in conflict and in peacetime.

¹ See www.un.org/sg/en/content/sg/statement/2023-01-12/the-secretary-generals-remarks-the-security-council-the-promotion-and-strengthening-of-the-rule-of-law-the-maintenance-of-international-peace-and-security-the-rule-of.

7. The New Vision is an internal document for guiding United Nations rule of law assistance programmes. Its goal of greater coherence among rule of law initiatives across the Organization will ensure more effective technical assistance and capacity-building measures to help Member States to achieve the Sustainable Development Goals.

8. The Rule of Law Coordination and Resource Group, led by the Deputy Secretary-General, is implementing the vision in line with its mandate from the General Assembly in order to ensure policy coherence throughout the United Nations.

Using technology to advance access to justice for all

9. In its resolution [77/110](#), the General Assembly decided to include the item entitled “The rule of law at the national and international levels” in the preliminary agenda of its seventy-eighth session and invited Member States to focus their comments during the Sixth Committee debate of that session on the subtopic “Using technology to advance access to justice for all”. This section may aid in framing the discussion.

10. Digital technologies provide new means for people to seek and obtain remedies through formal or informal justice institutions. If not developed and used in a human rights-compliant way, digital technologies can lead to harm, and their misuse disproportionately affects women and other marginalized individuals and groups, exacerbating inequality and discrimination both online and offline (see e.g. [A/HRC/48/31](#), [A/HRC/51/17](#) and [A/HRC/44/24](#)). The application of the international human rights framework to the way in which digital technologies, including automated systems, are developed, used and regulated, including in the context of access to justice, is fundamental.

11. Digital technologies provide the potential to build more inclusive and accountable institutions that, when properly designed, can respond to the needs of people and communities, in particular the most vulnerable. Digitalization can advance access to justice by creating easy, inclusive and accessible filing or complaint mechanisms and processes for those with Internet access. It can also contribute to better understanding of and response to justice gaps by providing data and statistics.

12. E-filing, digital case management, virtual courts and mobile applications are good examples of digital adaptation enhancing access to justice, in particular for vulnerable groups, if applied in appropriate situations and with the necessary safeguards. The United Nations is leveraging this potential and actively supporting countries in their path to digitalization while providing guidance to ensure that human rights and data privacy protection are applied along the way. Equal access to justice for all requires a recognition of the inequalities and obstacles as well as enablers at all stages of the justice process in which technology plays a role.

2. Advancing security and justice

Effective, inclusive and accountable justice and security institutions

13. The United Nations has continued to invest in the development of State security and justice institutions to improve their accessibility, efficiency, transparency and accountability. In addition, it has supported both customary and informal systems in many countries to ensure fair justice outcomes and processes that are both context-specific and compliant with international human rights standards with dedicated attention to women’s rights.

14. In conflict-affected settings, the Organization has used its good offices to advocate institutional accountability, help settle crises and monitor rule of law trends that could jeopardize peace processes.

15. In Afghanistan, since the Taliban takeover, the Constitution and prior laws have been suspended, judges who had been in office prior to the takeover have been dismissed, women have been excluded from participating in the rule of law sector, and institutional arrangements to promote oversight and accountability, such as anti-corruption institutions, have been abolished. This has resulted in legal uncertainty and unaccountable and non-inclusive justice and security institutions. The United Nations continued to advocate with the de facto authorities to clarify the legal framework, allow the return to work of former judges and other justice personnel, especially women, and reinstate accountability within rule of law institutions.

16. In Iraq, the United Nations continued to implement a detention and trial monitoring programme of Da'esh suspects in order to inform its advocacy aimed at promoting adherence to international legal standards. In collaboration with the Iraqi Bar Association, the United Nations organized discussions to identify human rights challenges in the criminal justice system of Iraq, with a focus on the role of defence counsels, the investigation phase and subsequent judicial proceedings.

17. In Somalia, the United Nations continued to engage authorities to advance an independent judiciary and advocated making progress on a functioning Judicial Service Commission. In addition, it helped to build the capacities of the Somali Police Force and the Community Policing Directorate by way of training, infrastructure and police advisory efforts.

18. The United Nations worked with the Government of Ukraine to operationalize the conflict-related sexual violence unit within the Office of the Prosecutor General and to conduct training of prosecutors and investigators, within the framework of cooperation on the prevention of and response to conflict-related sexual violence signed in May 2022. The Organization conducted a legal analysis to guide law reform efforts to strengthen survivor-centred justice for crimes of conflict-related sexual violence and jointly sponsored workshops on reparations, including interim reparative measures.

19. The Organization continued to support the implementation of human rights-based and gender-sensitive police reform, in line with the United Nations standards and norms in crime prevention and criminal justice. In Haiti, it supported the professionalization and development of the Haitian National Police to improve security and address institutional challenges while promoting gender equality. In Kazakhstan, the United Nations supported the strengthening of policies to modernize police services, enhance trust with the community and improve the curricula of the police training institutions. In Uzbekistan, police academy officials received United Nations training in human rights-based and gender-sensitive approaches. In Thailand, the Organization assisted in drafting a new regulation on the use of force and conducted a pilot training course for 35 police officers and trainers to ensure the alignment of policing practices with international standards.

20. In line with its common position on incarceration, the United Nations has pursued its efforts to strengthen prison management and improve prison conditions. In the Democratic Republic of the Congo and South Sudan, "green prison initiatives" have been undertaken.

Security, crime prevention and armed violence reduction

21. The prevention and mitigation of community violence remained a key priority in the Central African Republic, the Democratic Republic of the Congo and Mali, with the implementation of projects offering alternative livelihoods to young people at risk of recruitment into non-State armed groups.

22. The United Nations continued to promote efforts to tackle the illicit proliferation of small arms and light weapons, as well as illegal flows of arms and ammunitions. As part of the Saving Lives Entity fund, the United Nations supports national initiatives to reduce armed violence and counter the proliferation of small arms and light weapons in post-conflict situations as well as in contexts with high levels of crime-related armed violence. During the reporting period, the fund provided support in Cameroon, Jamaica and South Sudan.

23. The United Nations supported 26 Member States in reinforcing their national firearms control regimes and strengthened the capacities of around 600 criminal justice practitioners in 20 countries in the detection, investigation, prosecution and adjudication of firearms trafficking and related forms of crime. The Organization also supported voluntary firearms registration and surrender campaigns in the Central African Republic and Chad.

24. The United Nations advised on the design and execution of national strategies and programmes and the establishment of community consultations to obtain better qualitative data on crime and victimization. In addition, it assisted Argentina, Chile, the Dominican Republic and Uzbekistan in conducting surveys to help develop more tailored and knowledge-based crime prevention interventions.

25. Member States, including Mexico and Nigeria, worked with the United Nations to push for more evidence-based prevention of organized crime. Results included the development and implementation of community-based crime prevention action plans that considered inputs from youth and community leaders, as well as the training of law enforcement and community actors. To improve proactive policing and police-community interaction, the United Nations assisted Cambodia, Kazakhstan, the Lao People's Democratic Republic and Pakistan through community- and problem-oriented policing workshops. In 19 peace operations and other contexts, United Nations police continued to conduct or advocate community-oriented policing activities, thereby supporting the efforts of host-State counterparts to become more representative of and responsive to the communities that they serve.

26. To promote holistic youth crime prevention, the Organization conducted 15 capacity-building activities globally to reduce youth engagement in crime and violence, including by using sport to reach at-risk groups. In that context, the United Nations and the International Olympic Committee launched a joint programme to promote the use of sport to prevent youth violence and crime.

Access to justice for all

27. For justice to be accessible to all, it must be designed to be non-discriminatory, user-friendly, fair, and tailored to diverse people's needs. The United Nations worked to advance accessible justice services in collaboration with Member States, formal and informal justice actors, civil society organizations and communities, including through support to the provision of legal aid, efforts to restore and extend justice services in underserved communities, the deployment of judicial personnel and/or temporary mobile courts, and alternative dispute resolution.

28. In Burkina Faso, support included the deployment of 18 mobile courts that contributed to a 47 per cent decrease in the backlog of judicial cases in 10 regions. In the Central African Republic, the Organization supported the rehabilitation of courts and the redeployment of judicial personnel, which resulted in the functioning of 22 out of 30 courts.

29. To strengthen the links between formal and traditional justice mechanisms, the Organization supported a special courts mechanism in South Sudan, whereby traditional leaders advise a statutory judge, aimed at strengthening accountability for

intercommunal violence. By the end of 2022, special courts supported by the United Nations had adjudicated 259 cases involving 364 individuals, including 12 cases of sexual and gender-based violence.

30. The Organization supported the leveraging of technology as an enabler of access to legal information and as a tool to strengthen case management, integrity, transparency and accountability in criminal processes:

(a) In the Democratic Republic of the Congo, it jointly supported the establishment of digital information systems in courts to improve case management;

(b) In Lebanon, it supported the installation of 17 remote e-hearing systems in selected courts, detention facilities and prisons and assisted in improving the data management system of the General Prosecutor's Office;

(c) In Kenya, it supported the digitalization efforts of criminal justice agencies by providing essential equipment and instituting e-learning programmes;

(d) In the Niger, it jointly implemented pilot training to assess the feasibility of introducing videoconferencing technology into criminal proceedings in order to reduce unnecessary pretrial detention for terrorism suspects;

(e) In Ukraine, it helped to develop the eCourt mobile application, which is aimed at speeding up and optimizing judicial processes while enabling access to court services via smartphones.

Security and justice for women and girls

31. The United Nations continued to address bias and gender discrimination in the delivery of justice and security, including through support to police and justice reform, the strengthening of capacities of police and justice actors, and advocacy. As a result of that support, at least 51,909 people accessed gender-responsive justice services in 2022 globally.

32. The United Nations supported the adoption or revision of 157 national and local laws across six regions that advance gender equality and women's empowerment, including by addressing violence against women. For example, the United Nations provided technical assistance to help align the national legislation of Viet Nam on violence against women with international standards, resulting in the adoption of a new law on domestic violence prevention and control. In addition, it continued to support national police in South Sudan in identifying and investigating incidents of sexual and gender-based violence.

33. In Afghanistan, the United Nations continued to advocate access to justice for women and girls following the abolishment of specialized institutions such as the court for the elimination of violence against women and following the enactment of practices that create challenges for women providing and seeking services from justice institutions.

34. In Kyrgyzstan, the Organization supported justice institutions in developing gender-responsive and survivor-centred training curricula for court and security officers to improve the prevention of and response to violence against women and girls and assistance to survivors in accordance with international human rights standards.

35. With continued concerns over the security situation for women and girls in Libya, the United Nations supported the development of the Violence Against Women Law and continued to train prosecutors, lawyers and non-governmental organizations on combating all forms of violence against women and on conflict-related sexual

violence. In addition, the Organization collaborated with the national authorities to re-establish the Women's Police Academy, suspended since 2011.

Security and justice for children

36. The United Nations continued to work to strengthen services for and protection of the millions of children who interact with justice systems every year. Among other initiatives, the Organization supported the promotion of child-friendly interviews, investigations and psychosocial interventions, the implementation of diversion measures and alternatives to deprivation of liberty, and reintegration processes for children associated with armed groups, including children with alleged links to United Nations-listed terrorist groups. The number of countries with a specialized juvenile justice system² increased from 22 in 2021 to 31 in 2022 with the addition of Benin, Costa Rica, Guyana, Liberia, Romania, Rwanda, the Sudan, Uganda and Ukraine.

37. To address threats and harms in the digital sphere, the Organization provided support to Member States in developing specialized skills for the investigation and prosecution of online child sexual abuse and exploitation. In addition, it supported Member States such as Burkina Faso, El Salvador, Ghana, Guatemala, Honduras, Nigeria, Panama, Peru and the Philippines in engaging with international networks and civil society reporting child sexual abuse material. Moreover, the Organization published a global guide³ on improving legislative frameworks to protect children from online sexual exploitation and abuse in line with international child rights standards.

Access to justice in situations of forced displacement

38. As a result of the increased number of internally displaced persons, refugees and stateless persons in the world, whether due to conflict, violence, fear of persecution or human rights violations, the United Nations increased its focus on advancing access to justice for both forcibly displaced populations and host communities in countries such as Burkina Faso, Colombia, the Democratic Republic of the Congo, Lebanon, Myanmar, Pakistan, Somalia and the Syrian Arab Republic. For example, in December 2022, the Organization took part in a survey of justice needs and satisfaction that helped to identify the distinct needs of internally displaced persons and host community members in Burkina Faso and inform efforts to improve their access to justice. Similarly, a recent assessment in Ethiopia revealed that 61 per cent of displaced women and girls reported that lack of documentation was a major challenge in accessing legal services.

3. Efforts to eliminate corruption

39. The United Nations Convention against Corruption provides a unique framework for combating corruption and strengthening international cooperation. With 189 parties, it is the only universal legally binding anti-corruption instrument. In November 2022 and April 2023, respectively, the Organization supported the establishment of a sixth and seventh regional platform to fast-track the implementation of the Convention in the West Africa and the Sahel region and in Central America. The platforms joined those already established in East Africa, Southern Africa, South America and Mexico, South-East Asia and the Western Balkans.

² A system meeting the following six criteria: (a) a minimum age of criminal responsibility above 14 years; (b) access of children to justice and legal aid, by law and in practice; (c) child-friendly investigation, police and adjudication; (d) child-specialized trained professionals; (e) a multidisciplinary approach; and (f) special measures for child victims and witnesses of crime.

³ Available at www.unicef.org/reports/legislating-digital-age.

40. In furtherance of the 2021 political declaration of the special session of the General Assembly against corruption, the United Nations presented the draft statistical framework for measuring corruption for discussion at the fifty-fourth session of the Statistical Commission, held in 2023. The Commission welcomed the framework and invited national institutions to promote its implementation. The framework will support Member States in their efforts to measure all aspects of different types of corruption in order to inform and strengthen evidence-based anti-corruption policies and strategies.

41. The Organization continued to advance anti-corruption education and youth empowerment under its Global Resource for Anti-Corruption Education and Youth Empowerment (GRACE) initiative, reaching hundreds of professionals, educators, young people and civil society representatives. Together with the International Organization of Supreme Audit Institutions, the United Nations developed a practical guide entitled “Enhancing collaboration between supreme audit institutions and anti-corruption bodies in preventing and fighting corruption: a practical guide”, published in November 2022.

42. The Organization continued to provide tailored technical assistance to national authorities, at their request, including in capacity-building, skill development and data production for anti-corruption evidence-based policymaking. The United Nations in Iraq continued to support the judiciary and law enforcement agencies in effectively addressing corruption, money-laundering and complex financial crimes. More than 600 judges, prosecutors and investigators have been trained on financial investigations. The United Nations continued to provide similar support in Latin America and South-East Asia. In Malaysia, it supported the implementation of corruption surveys to improve the methodology for a forthcoming corruption study that will be aimed at measuring corruption experiences of the private and public sector using nationally representative surveys. Building on previous collaboration, the Organization commenced joint planning and preparatory work with the Nigerian authorities to implement the third national corruption survey, in 2023.

43. The United Nations continued the joint 2022 initiative entitled “Achieving peace through integrity: anti-corruption efforts in post-conflict environments” to strengthen anti-corruption efforts in conflict-affected settings where corruption constitutes a significant conflict driver.

4. Strengthening the rule of law and human rights in the prevention and countering of terrorism and organized crime

44. The Organization continued to assist in the efforts of Member States to prevent and address transnational organized crime, including terrorism, violent extremism and the trafficking or smuggling of humans, drugs, arms and natural resources, including through joint investigations and operations involving the seizure of illegal goods, crime scene management and forensics.

45. The Philippines worked with the United Nations on the implementation of the joint programme pursuant to Human Rights Council resolution [45/33](#) in order to strengthen the capacity of the security and judicial actors to counter terrorism in compliance with international human rights standards and to support the Commission on Human Rights of the Philippines in monitoring human rights violations in the context of the implementation of the Anti-Terrorism Act.

46. The United Nations launched the project entitled “Towards meaningful accountability for sexual and gender-based violence in terrorist contexts” in September 2022. The project is aimed at exploring criminal justice avenues for sexual and gender-based crimes when committed by a terrorist group and/or with terrorist

intent, through a legal analysis of the interlinkages between the international counter-terrorism framework, international humanitarian law and international criminal law.

47. The United Nations launched a new global programme to support Member States in putting in place effective, accountable and inclusive counter-terrorism norms, measures and capacities. In addition, it established a project on model national human rights-based counter-terrorism responses, which serves to provide Member States with interdisciplinary guidance on counter-terrorism strategies.

48. To align national counter-terrorism legislation with international legal norms and standards, the United Nations provided technical assistance to 30 countries in revising national frameworks.

49. The United Nations, in coordination with the Lake Chad Basin Commission, implemented a project to support Lake Chad basin countries in developing and implementing strategies for the screening, prosecution, rehabilitation and reintegration of Boko Haram-associated persons. This resulted, among other outcomes, in the adoption of a national action plan for screening, prosecution, rehabilitation and reintegration in Chad and the development of an agreement strengthening counter-terrorism collaboration between the Niger and Nigeria.

50. The Global Framework for United Nations Support on Syrian Arab Republic and Iraq Third Country National Returnees has continued to provide expert support for the finalization of joint scoping exercises in Iraq and the Maldives, as well as to the design of technical assistance activities in the areas of security and accountability.

51. Through its Global Programme on Criminal Network Disruption, the United Nations provided support to Member States to investigate beyond seizures of illicit commodities and to conduct the prosecution of criminal actions in order to disrupt organized crime groups and deprive them of the proceeds of those actions in line with the rule of law and human rights standards.

52. The United Nations expanded the knowledge base on legislative, policy and administrative measures to combat organized crime, including by further developing the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge management portal.⁴ As of January 2023, SHERLOC included 3,375 organized crime cases from 139 States and 11,890 pieces of legislation. SHERLOC now also includes a series of teaching modules on crime-related topics.⁵ The Organization developed guides to good legislative practices on waste trafficking⁶ and illegal mining and trafficking in metals and minerals,⁷ as well as a toolkit on the investigation and prosecution of trafficking in persons for organ removal.⁸

53. The United Nations developed a series of reports to help investigators and prosecutors to better understand illicit supply chains and criminal business models. Examples of such reports include “Analysis of opiate stamps seized in the Indian Ocean 2017–2021”⁹ and “Afghan Women and the Opiate Trade”.¹⁰ The latter sheds light on the differential experience of women in Afghanistan along opiate supply

⁴ Available at <https://sherloc.unodc.org/cld/en/st/home.html>.

⁵ Available at <https://sherloc.unodc.org/cld/en/education/tertiary/index.html>.

⁶ Available at https://sherloc.unodc.org/cld/uploads/pdf/Combating_Waste_Trafficking_-_Guide_on_Good_Legislative_Practices_-_EN.pdf.

⁷ Available at https://sherloc.unodc.org/cld/uploads/pdf/Illegal_Mining_and_Trafficking_in_Metals_and_Minerals_E.pdf.

⁸ Available at www.unodc.org/unodc/en/human-trafficking/glo-act2/tip-for-or-toolkit.html.

⁹ Available at www.unodc.org/documents/data-and-analysis/AOTP/Drug_Stamp_Report_Online_1.pdf.

¹⁰ Available at www.unodc.org/documents/data-and-analysis/AOTP/Afghan_Women_Opiate_Trade.pdf.

chains and provides policymakers and practitioners with the data to implement informed, fair and effective responses to illicit drug markets.

5. Advancing accountability

Accountability for serious crimes under international law

54. Efforts to strengthen criminal accountability at the national level in post-conflict settings yielded significant results in 2022, with more than 2,000 individuals (of more than 3,500 charged) convicted of serious crimes in the Central African Republic, the Democratic Republic of the Congo, Mali and South Sudan.

55. With the support of the United Nations, the Special Criminal Court in the Central African Republic achieved major milestones: on 31 October 2022, it delivered its first verdict, finding three combatants guilty of war crimes and crimes against humanity – including sexual violence – for their role in the massacre of at least 46 civilians in 2019. As at 1 February 2023, 22 individuals had been indicted by the Court since October 2018.

56. In the Democratic Republic of the Congo, there has been a notable acceleration in the processing of cases by military authorities with the support of the Prosecution Support Cells. In 2022, more than 1,000 cases involving more than 148 accused were heard, resulting in 126 convictions and sentences.

57. In Guinea, the Organization assisted the authorities in initiating the domestic trial for the massacre and mass rape of 28 September 2009 near the Conakry stadium. The trial involves 11 accused, including a former Head of State.

58. In Somalia, through a new joint programme, the United Nations helped to promote integrative justice solutions with formal and customary rule of law actors in order to inform the design of people-centred justice mechanisms. The alternative dispute resolution centres, legal aid providers and mobile courts have provided services to over 11,500 individuals.

59. In South Sudan, through support to accountability mechanisms, the United Nations helped to increase accountability for serious crimes, thereby breaking cycles of violence and building the local population's trust in State institutions. By the end of 2022, more than 140 court martial cases had been reviewed, with criminal trial proceedings concluded in 95 cases involving 119 suspects charged with serious offences. Some 93 suspects were convicted.

Accountability for crimes committed against United Nations personnel in peacekeeping operations and special political missions

60. Since 1948, 1,115 United Nations personnel serving in missions have been killed and 3,119 injured as a result of malicious acts. In 2022 alone, explosive ordnance incidents – which include improvised explosive device attacks – killed 16 peacekeepers and injured 72 others, accounting for 50 per cent of all peacekeepers killed last year and 47 per cent of those injured in hostile acts.

61. There was an increase in the number of alleged perpetrators identified and detained and an increase in the percentage of cases with confirmed national investigations in the Central African Republic, the Democratic Republic of the Congo and Mali. One individual was convicted by a Malian court in January 2023 in relation to the killing of three peacekeepers in 2019. On 15 March 2023, a court in the Central African Republic convicted five individuals for the killing of one peacekeeper in 2020.

62. Important challenges for ensuring accountability for such crimes remain. These acts are often committed in areas where the authority of the State may be limited or

absent, in addition to involving the use of improvised explosive devices, which complicates the identification of perpetrators. This creates serious challenges for the security of witnesses and the collection and preservation of evidence. Overall, the Organization continues to provide advisory services to host-State counterparts.

63. A Member State group of friends to promote accountability for crimes against peacekeepers, co-chaired by Bangladesh, Egypt, France, India, Morocco and Nepal, was launched in December 2022. The group will serve as a key mechanism for promoting accountability and facilitating the provision of capacity-building and technical assistance to host State authorities, in line with Security Council resolution 2589 (2021).

64. At the national level, the United Nations has advanced work to ensure accountability by providing training and advisory assistance for the prevention, handling and investigation of explosive accidents and assisting with post-blast investigations, including in Mali, the Central African Republic and the Democratic Republic of the Congo.

Accountability through environmental litigation

65. Environmental litigation seeking to hold accountable those responsible for contributing to and/or causing damage associated with the triple planetary crises of climate change, biodiversity loss and pollution is on the rise. As of December 2022, 2,180 climate-related cases had been filed in 65 jurisdictions, including international or regional courts, tribunals, quasi-judicial and other adjudicatory bodies, special procedures of the Human Rights Council and arbitration tribunals. This represents a steady increase from 884 cases in 2017 and 1,550 cases in 2020.¹¹ Litigation relating to biodiversity loss and pollution is predicted to follow a similar path.

66. The United Nations supported efforts to ensure accountability in environmental matters. In India, it assisted the National Green Tribunal – a specialized environmental court – in analysing the effectiveness of its work and access to justice for those exposed to environmental harm.

6. Supporting inclusive transitional justice processes

67. The United Nations continued to implement a cross-pillar project on transitional justice, involving an in-depth assessment of the Organization's approach to transitional justice support, with a focus on achieving a tangible impact for people and societies, in particular victims. The project was aimed at deepening institutional understanding, coherence and coordination and has led to a revised guidance note of the Secretary-General on the United Nations approach to transitional justice. In the note, the Secretary-General promotes transitional justice as a strategic, inclusive and gender-sensitive tool in support of long-term policy goals, including the prevention and sustaining of peace; accountability and the rule of law; healing and reconciliation; and sustainable development.

68. The Organization continued to support the design and implementation of inclusive, context-specific and victim-centred transitional justice processes:

(a) In Colombia, the United Nations assisted in disseminating the final report of the Truth Commission, which had concluded its mandate in August 2022. In the report, the Commission sets out findings and recommendations in order for national authorities to provide remedies to the victims. In addition, the Organization provided technical assistance during the regional hearing process of the Special Jurisdiction for

¹¹ See www.unep.org/resources/report/global-climate-litigation-report-2023-status-review.

Peace, during which victims, including children, were consulted on issues such as the prioritization of new cases;

(b) In the Gambia, the United Nations continued to support the implementation of the recommendations of the Truth, Reconciliation and Reparations Commission, and to support the National Human Rights Commission and civil society organizations in monitoring the implementation of the recommendations. In addition, the Organization helped to enhance the knowledge of the Government on the establishment of a hybrid court to prosecute serious crimes not captured within the domestic legal framework;

(c) In Kosovo,¹² the United Nations contributed to an initiative to promote the economic empowerment of survivors of conflict-related sexual violence. More than 100 survivors and family members benefited from capacity-building activities, psychological counselling, legal support and medical assistance in 2022. Some 1,803 survivors of conflict-related sexual violence applied for reparations through a government-led administrative programme.

69. The United Nations continued its gender equality efforts in transitional justice contexts, supporting women's meaningful inclusion and leadership in transitional justice processes in Colombia, the Democratic Republic of the Congo, Guatemala, Mali, South Sudan and Kosovo.

7. Supporting constitution-making and reform

70. The Organization responded to requests from Member States including Armenia, Belize, Cambodia, Mali, the Sudan and Uzbekistan for advice on constitutional amendments and/or for support in designing and conducting inclusive, participatory and nationally owned constitutional reform processes that ensure respect for human rights and the rule of law.

71. Conducting work in this area, the United Nations has sought to include women and other marginalized and excluded groups. The Organization supported women's political participation in 12 countries undertaking constitutional reviews or amendments. In Jordan, following technical assistance provided by the Organization to national partners, constitutional amendments with explicit provisions addressing gender-based discrimination and violence, the inclusion of women, young people and people with disabilities, and equal opportunities for all Jordanians were adopted.

B. Promotion of the rule of law at the international level

1. Codification and development of international instruments, norms, standards and rules

72. The reporting period was marked by continued activity aimed at furthering international law.

73. The International Law Commission held its seventy-third session¹³ and adopted, on second reading, the draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*) and the draft principles on protection of the environment in relation to armed conflicts. During its seventy-seventh session, the General Assembly considered the report of the International Law

¹² References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

¹³ See <https://legal.un.org/ilc/sessions/73/>.

Commission on the work of its seventy-third session (A/77/10), as reflected in resolution 77/103.

74. With regard to the law of the sea, the ratification by Rwanda of the United Nations Convention on the Law of the Sea in May 2023 increased the number of parties thereto to 169, and the number of parties to the 1994 Agreement relating to the implementation of part XI of the Convention increased to 152. The number of parties to the United Nations Fish Stocks Agreement increased to 93, following the accession of Saudi Arabia in June 2023.

75. At the further resumed fifth session 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 of areas beyond national jurisdiction, held on 19 and 20 June 2023, delegations adopted the text of the agreement.

76. There were significant developments regarding multilateral agreements deposited with the Secretary-General. The United Nations Convention on the International Effects of Judicial Sales of Ships was adopted by the General Assembly through its resolution 77/100, on 7 December 2022. Advances in international environmental law were also made with the entry into force on 26 February 2023 of the amendments to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants, adopted in 2009.

77. The treaty event returned for its twentieth edition, in conjunction with the high-level debate of the General Assembly, renewing focus on universal participation in multilateral treaties deposited with the Secretary-General and, notably, treaties in support of the 2030 Agenda. On this occasion, States took action on a wide range of treaties, making significant strides, in particular in the field of disarmament.

78. At its fifty-fifth session, the United Nations Commission on International Trade Law (UNCITRAL) approved a draft convention on the judicial sales of ships and adopted legislative texts concerning e-commerce (digital identity management and trust services) and mediation. There were 14 legislative actions with regard to UNCITRAL texts, including two accessions to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, one ratification of the United Nations Convention on International Settlement Agreements Resulting from Mediation, one accession and one declaration of territorial application of the United Nations Convention on Contracts for the International Sale of Goods, and two accessions to and one ratification of the United Nations Convention on the Use of Electronic Communications in International Contracts.

79. The Committee on the Rights of Persons with Disabilities, established under the Convention on the Rights of Persons with Disabilities, adopted its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, and the Committee on the Elimination of Discrimination against Women, established under the Convention on the Elimination of All Forms of Discrimination against Women, adopted its general recommendation No. 39 (2022) on the rights of indigenous women and girls.

80. The Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes,¹⁴ established under General Assembly resolution 74/247, held its third, fourth and fifth sessions and three intersessional consultations with relevant multi-stakeholders. During the sessions, the Committee achieved progress on a

¹⁴ See https://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home.

number of chapters based on the proposals and contributions submitted by Member States.

2. Promotion of international instruments, norms, standards and rules

81. Activities under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, including its training programmes and the United Nations Audiovisual Library of International Law, a free online educational resource, continued to ensure access to high-quality training. With regard to the Library, 24 educational materials were added on Sustainable Development Goals 5 (gender equality), 10 (reduced inequalities), 12 (responsible consumption and production) and 16 (peace, justice and strong institutions) and widely disseminated. Four in-person training programmes in international law for government officials and legal academics in developing countries or countries with emerging economies were conducted: the International Law Fellowship Programme, and the United Nations Regional Courses in International Law for Africa, for Asia-Pacific and for Latin America and the Caribbean.

82. The UNCITRAL secretariat continued to organize activities to assist States in adopting UNCITRAL texts and to develop online training materials relating to UNCITRAL, public procurement and public-private partnerships and the UNCITRAL mediation framework, which were made available free of charge. In addition to other regional day events, the UNCITRAL Africa Day was launched in May 2022.

83. The United Nations has continued to develop and deliver capacity-building and technical cooperation activities in support of the implementation and development of legal frameworks for oceans, as set out in the United Nations Convention on the Law of the Sea and related instruments. Capacity-building seminars on treaty law and practice have also been conducted at United Nations Headquarters.

84. Reaching the landmark of the twentieth anniversary of the entry into force of the United Nations Convention against Transnational Organized Crime, the United Nations continued to promote adherence to the Convention and the Protocols thereto. Bhutan acceded to the Convention; Andorra, Bhutan and Pakistan acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; Chad acceded to the Protocol against the Smuggling of Migrants by Land, Sea and Air; and Luxembourg ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition. The Conference of the Parties to the Convention held its eleventh session from 17 to 21 October 2022, which resulted in the adoption of resolutions on international cooperation and technical assistance, firearms, trafficking in persons, trafficking in cultural property, and the application of the Convention for preventing and combating transnational organized crimes that affect the environment.

85. At its thirty-second session, the Commission on Crime Prevention and Criminal Justice adopted draft resolutions on reducing reoffending through rehabilitation and reintegration, on follow-up to the fourteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the fifteenth Congress, on enhancing the contributions of the Commission to the accelerated implementation of the 2030 Agenda and on equal access to justice for all and technical assistance provided by UNODC related to counterterrorism, in addition to resolution 32/1 concerning trafficking in persons.

86. The United Nations continued to promote universal adherence to the 19 international legal instruments against terrorism, assisting Member States in becoming party to them and providing assistance for their implementation. During the reporting period, 12 new adherences to international legal instruments against

terrorism by Angola, Kenya, Oman, Peru, the Russian Federation, Sierra Leone, Singapore and Tajikistan were recorded.

87. The United Nations conducted country visits to Albania, Cambodia, Iceland, Ireland, Malaysia and the United Republic of Tanzania to raise awareness among relevant stakeholders of the importance of adhering to the International Convention on the Suppression of Acts of Nuclear Terrorism and also conducted outreach to an additional 20 countries. The Organization delivered workshops to facilitate the effective implementation of the Convention in Ghana and the Lao People's Democratic Republic and held the first criminal investigation and mock trial relating to the Convention to build the capacity of criminal justice officials regarding challenges during the investigation, prosecution and adjudication of relevant crimes.

88. The United Nations continued to support the development and implementation of national laws and policies on internal displacement in at least 15 countries, including through capacity-building and legal and technical advice. Law-making processes concerning internally displaced persons advanced significantly in Burkina Faso, Chad, Ethiopia, Mexico, Nigeria, the Philippines and South Sudan. In Honduras, a long-awaited law was adopted in December 2022.

89. The United Nations continued to promote the universal abolition of the death penalty, including by encouraging the establishment of moratoriums.¹⁵

3. International and hybrid courts and tribunals

International Court of Justice

90. The International Court of Justice maintained a high level of judicial activity, including in the cases of *Chile v. Bolivia*, *Islamic Republic of Iran v. United States of America*, *The Gambia v. Myanmar*, *Guyana v. Venezuela* and the cases involving Armenia and Azerbaijan.

91. In its resolution [77/247](#), the General Assembly requested an advisory opinion from the Court on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. In addition, the General Assembly adopted resolution [77/276](#), requesting an advisory opinion on the obligations of States in respect of climate change.

92. As at 30 June 2023, there were 18 cases pending before the Court, with two being heard or under deliberation.

Law of the sea tribunals

93. Judicial activity of the International Tribunal for the Law of the Sea concerned two cases: in October 2022, public hearings were held in the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)* and the *M/T "Heroic Idun" Case (Marshall Islands v. Equatorial Guinea)*, *Prompt Release* was discontinued by Marshall Islands in November 2022. In December, the Tribunal received a request from the Commission of Small Island States on Climate Change and International Law to render an advisory opinion on the legal questions concerning the specific obligations of States parties to the United Nations Convention on the Law of the Sea, including the protection of the marine environment in relation to pollution and climate change impacts.

94. In addition, law of the sea issues were considered by two arbitral tribunals constituted under annex VII of the United Nations Convention on the Law of the Sea: the *Dispute Concerning Coastal State Rights in the Black Sea, Sea of Azov, and Kerch*

¹⁵ [A/HRC/51/7](#).

Strait (Ukraine v. Russian Federation) and the Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen (Ukraine v. Russian Federation).

International criminal courts and tribunals

95. The United Nations continued to cooperate with the International Criminal Court by providing administrative, legal and logistical support in accordance with the relationship agreement between the two organizations, including through the sharing of information and evidence, the provision of transportation and security support for the Court's field operations and the facilitation of interviews with and the giving of testimonies by United Nations personnel. On 15 December 2022, the Appeals Chamber confirmed the conviction of Dominic Ongwen of 61 crimes comprising crimes against humanity and war crimes, committed in Northern Uganda between 1 July 2002 and 31 December 2005.

96. The International Residual Mechanism for Criminal Tribunals continued to carry out the residual functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. The Mechanism delivered the appeal judgement in the Stanišić and Simatović case on 31 May 2023 and remained seized of proceedings in the Kabuga case. The Office of the Prosecutor continued its efforts to locate and arrest the four remaining fugitives, who are expected to be tried in Rwanda. On 24 May 2023, one of the fugitives, Fulgence Kayishema, who had been sought for genocide and crimes against humanity allegedly committed in Rwanda in 1994, was arrested in South Africa, in a joint operation by the Office's Fugitive Tracking Team and South African authorities.

97. On 22 September 2022, the Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia delivered its judgment in case 002/02, with the written judgment issued on 23 December 2022. The Chamber affirmed the convictions and life sentence against Khieu Samphan for genocide against the Vietnamese, crimes against humanity and grave breaches of the Geneva Conventions committed across various locations in Cambodia between 1975 and 1979. With this decision, the Extraordinary Chambers completed their last case and entered their residual phase on 1 January 2023.

98. On 1 July 2022, the Special Tribunal for Lebanon entered its residual phase. The Secretary-General extended the mandate of the Tribunal from 1 March 2023 until 31 December 2023, for the limited purpose of completing the non-judicial residual functions and the orderly closure of the Tribunal.

99. The Residual Special Court for Sierra Leone continues to perform its functions, including monitoring the enforcement of sentences of persons convicted by the Special Court, providing support services to protected witnesses and addressing requests for assistance from national authorities.

Other international accountability mechanisms

100. United Nations-mandated investigative bodies are increasingly being used as key actors in combating impunity and in efforts to uphold the rule of law. A majority have been established to investigate alleged violations in specific countries, while one is thematic in nature.¹⁶

101. The International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 continued its efforts to contribute to the accountability process, as reflected in its

¹⁶ See www.ohchr.org/en/hr-bodies/hrc/co-is.

annual report to the General Assembly (A/77/751). It expanded its repository of information and evidence and advanced its structural investigations. In addition, the Mechanism provided greater support to the work of jurisdictions investigating and prosecuting crimes committed in the Syrian Arab Republic and has assisted in 130 national investigations to date. In September 2022, it adopted a gender strategy setting out a comprehensive commitment to pursue inclusive justice for victims and survivors and to help overcome gender-related disadvantages.¹⁷

102. The United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) continued to contribute to the accountability process, as reflected in its recent report to the Security Council (S/2023/367). It advanced its investigations into international crimes committed against all communities in Iraq and prioritized the case-building of individual perpetrators. In its resolution 2651 (2022), the Security Council extended the mandate of UNITAD until 17 September 2023.

103. The Independent Investigative Mechanism for Myanmar significantly expanded its collection of information and evidence, including witness testimonies, and advanced its analytical work. As reflected in its fourth annual report to the Human Rights Council (A/HRC/51/4), the Mechanism continued to cooperate with the International Criminal Court, national investigative authorities and the parties in the case of *The Gambia v. Myanmar* before the International Court of Justice.

C. Strengthening the administration of justice within the Organization

104. The internal system of administration of justice is built to guarantee the observance of the rule of law within the Organization and for its staff members. As at 30 June 2023, the United Nations Dispute Tribunal had issued 2,396 judgments, and the United Nations Appeals Tribunal 1,349 judgments.

III. Coordination and cohesiveness in United Nations rule of law assistance

Global Focal Point for the Rule of Law

105. The Global Focal Point for the Rule of Law marked its tenth anniversary at a high-level event recognizing its major achievements in delivering rule of law assistance to people through national institutions.

106. The Global Focal Point continued to provide expertise and seed funding for joint initiatives and to coordinate capacity in order to ensure integration of rule of law assistance across the United Nations. To date, more than 35 countries and territories have obtained support through the Global Focal Point. Through the Standing Police Capacity and the Justice and Corrections Standing Capacity, the Global Focal Point has overall deployed more than 175 experts to support the establishment of transparent, accountable and inclusive justice and security institutions.

107. In 2022, the Global Focal Point published a report on promoting gender justice for peaceful and inclusive societies,¹⁸ which includes recommendations to assist its entities in better leveraging their joint capacities to advance gender justice.

¹⁷ Available at <https://iim.un.org/wp-content/uploads/2022/10/Gender-Strategy-Implementation-AbridgedEnglish.pdf>.

¹⁸ Available at www.unwomen.org/en/digital-library/publications/2022/10/women-peace-and-security-and-the-un-global-focal-point-for-the-rule-of-law.

108. The Global Focal Point also helped to coordinate a gender justice platform across the United Nations and with external partners. The platform provides increased access to justice for women and girls in many places, including Burundi, the Democratic Republic of the Congo, Ethiopia, Lebanon, Mali, Nigeria, Somalia, South Sudan, Tunisia, Uganda and the United Republic of Tanzania.

United Nations Inter-Agency Task Force on Policing

109. The United Nations Inter-Agency Task Force on Policing enhanced information-sharing practices on policing. Building on General Assembly resolution 77/241, in which the Assembly recognized the work of the Task Force, efforts are under way to launch a campaign on the positive multiplier effects of policing as practised by the United Nations.

United Nations Global Counter-Terrorism Coordination Compact

110. The Global Counter-Terrorism Coordination Compact, comprising 45 members, continued to serve as the primary institutional framework for the coordination and coherence of United Nations counter-terrorism efforts. In 2022, its Coordination Committee met once at the principal level to provide strategic direction to the work of the Compact on the increasing threat of terrorism in parts of Africa.

111. The online Compact platform has aided with coordination, engagement and information exchange among more than 1,000 focal points from 136 Member States, 13 regional organizations and all Compact entities. The Compact's eight thematic working groups have increasingly addressed issues related to human rights, the rule of law and gender as key considerations in comprehensive and integrated counter-terrorism strategies.

Inter-agency coordination and cooperation in preventing and combating trafficking in persons and the smuggling of migrants

112. The Inter-Agency Coordination Group against Trafficking in Persons called upon States to harness the potential of technology to prevent and combat trafficking in persons and to put in place effective measures to combat that crime in the context of humanitarian crises and conflict situations. The Group further advanced the inclusion of survivor perspectives in the design and implementation of counter-trafficking initiatives, enhanced its country-level outreach and promoted the prevention of trafficking in persons in procurement and supply chains. It continues to address trafficking in humanitarian crises and conflict situations, with a major focus on children, who comprise one third of all detected trafficking victims.

113. The United Nations Network on Migration strengthened efforts to counter the smuggling of migrants, as well as trafficking in persons, in the context of international migration. The thematic workstream on migrant smuggling and trafficking in persons and the workstream on alternatives to detention have been creating communities of practitioners and have facilitated coordination with existing like-minded platforms at the regional and global levels.

114. The Global Protection Cluster Task Team on Anti-Trafficking enhanced responses to trafficking in persons in humanitarian situations. Following the establishment in 2022 of the anti-trafficking task force under the regional refugee response plan for Ukraine, the United Nations and the International Organization for Migration optimized the sharing of information on efforts to prevent trafficking in persons in the context of the conflict.

Inter-agency coordination and cooperation in preventing and combating corruption

115. The Global Task Force on Corruption has continued to serve as a platform for the exchange of information and best practices, as well as for the coordination of United Nations anti-corruption activities. The Task Force continued the implementation of the common United Nations position on corruption and coordinated the implementation of corruption-related recommendations in Our Common Agenda and of the political declaration on corruption adopted in General Assembly resolution [S-32/1](#).

IV. Concluding observations

116. Upholding the rule of law is essential to addressing the complex crises of our time and to building peaceful societies with equal opportunities and with full respect for the rights and freedoms of all. It is an arduous undertaking that requires perseverance and political will. United Nations support to Member States in this regard must be able to meet this challenge.

117. Guided by this consideration, my New Vision for the rule of law is a lodestar for the system that will serve to incorporate the rule of law into all aspects of our continued service to and along with Member States as we strive to achieve the 2030 Agenda and ensure that we leave no one behind.
