



General Assembly

Seventy-eighth session

Official Records

Distr.: General
2 February 2024

Original: English

Sixth Committee

Summary record of the 16th meeting

Held at Headquarters, New York, on Tuesday, 17 October 2023, at 3 p.m.

- Chair:* Mr. Chindawongse (Thailand)
- later:* Ms. Lungu (Vice-Chair) (Romania)

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The meeting was called to order at 3.10 p.m.

Agenda item 83: The rule of law at the national and international levels (*continued*) (A/78/184)

1. **Ms. Mohammed** (Deputy Secretary-General), introducing the report of the Secretary-General (A/78/184), said that the focus of the report was on the subtopic “Using technology to advance access to justice for all”, in keeping with the decision of the General Assembly in its resolution 77/110. Digital technologies could provide innovative ways for people to seek and obtain redress through formal and informal justice institutions, and digitization could improve access to justice by creating more streamlined and accessible processes. However, all of that depended on people having equal and reliable access to the Internet. That caveat was critical. It was essential to recognize that, while technological tools could enable progress, they could also amplify inequalities, and if they were not developed and used in compliance with human rights, they could even lead to harm.

2. In his report, the Secretary-General highlighted how the United Nations was working, at the request of Member States, to provide technical assistance and capacity-building measures in areas as diverse as extending justice services in underserved communities; deploying judicial personnel and temporary mobile courts; developing community-based crime prevention action plans with input from youth and community leaders; leveraging technology to improve access to legal information and strengthen case management, integrity and transparency in judicial processes; and combating organized crime through the development of shared knowledge management portals to assist investigators.

3. The New Vision of the Secretary-General for the rule of law proposed in his report entitled “Our Common Agenda” was being implemented across the United Nations system. After a year-long consultative process, it would serve as a lodestar for rule of law efforts across the system in the run-up to the Summit of the Future and the proposed world social summit. Alongside the New Agenda for Peace, the New Vision would serve as a cross-cutting tool that would bring focus to efforts to promote peace, prevent conflicts and ensure justice at the current critical juncture. The New Vision addressed rebuilding trust, respecting integrity in public information and ensuring that technology and the digital ecosystem were inclusive and worked for people, rather than against them. It would guide efforts to enhance and coordinate United Nations technical assistance and capacity-building for requesting Member States, based

on full recognition that national ownership and engagement were key to the success of any initiative.

4. The New Vision reaffirmed the place of the rule of law at the very heart of the international system and was characterized by four vital elements. First, it was inclusive and people-centred. The rule of law, as both a means and an end, was not just about what were traditionally thought of as legal sectors. It was about supporting stronger, more resilient and more representative institutions across the board. Second, the New Vision contributed to conflict prevention and peace. The rule of law was fundamental to lasting peace and security because it was essential not only for addressing the injustices and inequalities that fuelled conflict but also for protecting civilians in crisis and post-conflict situations. Third, the New Vision sharpened attention on Sustainable Development Goal 16 on peace, justice and strong institutions. Progress on violence reduction, access to justice, inclusive governance and peaceful societies was stagnating or, even more alarmingly, reversing. More must be done to shore up support for attaining that vital Goal. Fourth, the New Vision tracked initiatives led by Member States and looked to strengthen linkages between the rule of law and priority concerns involving technology, human rights and fundamental freedoms, and access to justice.

5. Throughout the elaboration of the New Vision, care had been taken to ensure that it did not redefine existing terms and concepts. It was firmly grounded in agreed documents, including the Charter of the United Nations and the landmark 2012 declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels.

6. At the international level, the Secretary-General discussed progress in the development and codification of international law in the International Law Commission and other bodies. He recalled achievements in curating educational materials, disseminating resources and providing in-person training in international law to government officials and legal academics in developing countries and emerging economies. Over the last year, there had been significant developments regarding multilateral agreements deposited with the Secretary-General. In particular, the new Agreement 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 stood out as a powerful example of how the rule of law and legal frameworks could tangibly advance the common future of humanity. It had already had more than 80 signatories.

7. **Mr. Ikondere** (Uganda), speaking on behalf of the Group of African States, said that the rule of law and development were strongly interrelated and mutually reinforcing. The advancement of the rule of law at the national and international levels was essential for sustained and inclusive growth, sustainable development, the eradication of poverty and hunger, and the full realization of human rights and fundamental freedoms. The Group renewed its continued and unwavering commitment to the rule of law at both the national and the international levels and noted with appreciation the assistance provided by the United Nations over the past year to strengthen the rule of law, which was a key component of peace, security and sustainable development.

8. The Group called for the de-escalation of tensions in the Middle East, Africa and all other regions, for respect for the values of the Charter of the United Nations and for compliance with international humanitarian law, including the principle of unimpeded humanitarian access to all affected civilians. Adherence to the rule of law at the international level required its consistent application even in difficult circumstances, including compliance with the principles of international humanitarian law, both in and out of conflict. Given the current global crisis, the African Group called for the consistent and non-selective application of international law.

9. The Group noted with appreciation the assistance provided by the United Nations to support the actions of Member States to tackle corruption, advance access to justice, counter terrorism and crime, offer constitutional assistance, support transitional justice, and end gender-based violence and violence against children. The Group was concerned about interference in the judicial matters and court processes of developing countries, which was contrary to and impeded the promotion of the rule of law and must be addressed in order to safeguard the democratic institutions of those countries.

10. In keeping with the Secretary-General's suggestion in his report (A/78/184) to consider, as a subtopic for the seventy-eighth session, using technology to advance access to justice for all, several States, including some from the Group of African States, had addressed the impact of the COVID-19 pandemic on their justice systems by using technology to ensure both access to and delivery of justice, for example, by introducing remote proceedings in order to maintain business continuity. It was also notable that some States had sought to mitigate the congestion of detention facilities during the pandemic through preventive measures, such as prisoner release. The political and socioeconomic consequences of the pandemic could

fuel the threat of terrorism by exacerbating its underlying conditions and making more people susceptible to radicalization and recruitment by terrorist groups. Therefore, pandemic recovery efforts should be focused on creating inclusive, sustainable and resilient societies, based on the realization of human rights.

11. The Group welcomed the vision for a more inclusive, effective and networked multilateralism outlined by the Secretary-General in his report and reiterated that a people-centred approach to the rule of law at the international level would entail, inter alia, promoting access to vaccines and quality education for all and addressing deepening poverty and socioeconomic inequalities. Such an approach, based on respect for human rights and fundamental freedoms and measures to ensure good governance, was essential to build sustainable, inclusive and peaceful societies. The need to renew the social contract between Governments and their people and within societies, highlighted in the Secretary-General's report entitled "Our Common Agenda" (A/75/982), could be met at the national level by fostering a culture of good governance, through which the rule of law was upheld, in order to combat discrimination, racism, xenophobia, violence and inequality, and safeguard human rights and fundamental freedoms for all.

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

13. **Ms. Grosso** (United States of America) said that her delegation appreciated United Nations efforts to promote the rule of law at the national level. For example, in Afghanistan, it valued the Organization's continued advocacy to clarify the legal framework, allow the return to work of former judges and other justice personnel, especially women, and restore accountability within rule of law institutions. Her delegation also valued United Nations efforts around the world to enhance access to justice for all in a manner that was non-discriminatory, user-friendly, fair and tailored to diverse people's needs. It also recognized the Organization's work to increase accountability for serious crimes under international law, including the laudable achievements of the Special Criminal Court in the Central African Republic.

14. Member States must protect and enhance the rule of law in their own jurisdictions and support other States and civil society organizations seeking to do the same. As such, the United States made great efforts to protect the rule of law domestically and supported rule of law initiatives around the world, including by working with its partners, civil society and investigative bodies to advance access to justice for all through the use of technology. It had recently adopted a new rule of law policy that renewed its commitment to justice, rights and security for all. The holistic, people-centred justice approach outlined in the policy supported the rule of law as a critical component of United States humanitarian and development assistance and emphasized improving the administration and delivery of justice and meeting the needs and aspirations of societies. By supporting locally driven innovations and digital solutions, the United States hoped to promote the appropriate use of technology to improve access to justice for all.

15. The United States had also sought to leverage technology to improve justice and accountability with respect to international crimes. Its Conflict Observatory programme, for example, used innovative technology to document and analyse evidence of human rights atrocities committed in Ukraine. Her delegation took note of the Organization's efforts to use technology in support of justice for all, including in particular its assistance in the development of the eCourt mobile application.

16. **Mr. Silveira Braoios** (Brazil) said that, at the international level, abiding by the rule of law meant that no country, no matter how powerful, was exempt from compliance with its international legal obligations. International law, particularly the Charter of the United Nations, must remain at the core of the international order. The prohibition of the use of force in cases not authorized by the Security Council was considered a *jus cogens* norm, in that it did not permit any derogation, whether by treaty or by unilateral acts. It was also worth recalling that no rights or entitlements could arise from unlawful acts.

17. The rules of criminal accountability and international responsibility lay at the heart of any order truly governed by the rule of law. They complemented each other in setting the consequences of breaches by subjects of law of their international obligations. Upholding the rule of law at the international level not only required peaceful coexistence between subjects of international law but also their coordination and cooperation towards a just and fair order based on international law. His delegation reiterated its appreciation of the work of the International Law

Commission in the progressive development and codification of international law.

18. The Internet, videoconferencing platforms and software applications had widened and accelerated access to justice. However, digitalization must not be allowed to create a barrier to justice or threaten due process guarantees. Digital access should be an option, not a requirement. The COVID-19 pandemic had exposed deep and persistent inequalities in the distribution of wealth and resources and the delivery of basic services, including Internet access.

19. In their use of technologies, judicial actors, prosecutors and investigators must take into due account the right to privacy and the protection of personal data. It was also crucial to strike a fine balance between upholding the rights of freedom of expression and association and combating the use of the Internet to spread hate speech and disinformation or pursue criminal activities.

20. Attaining Sustainable Development Goal 16 required national ownership, policy space and means of implementation. To fulfil those preconditions, it was essential to strengthen the participation of developing countries in the institutions of global governance, including the United Nations. Making the United Nations more representative would also increase its legitimacy and effectiveness. The General Assembly had debated the question of equitable representation in the Security Council for decades. Despite overwhelming support for increasing the number of permanent and non-permanent Council members, there had been very little progress, with increasingly detrimental consequences for the Council's ability to maintain international peace and security.

21. **Mr. Evseenko** (Belarus) said that promoting the rule of law at the international and national levels was essential for upholding the international legal order and addressing pressing challenges related to sustainable development, economic growth and human rights. The world order must continue to be based on the principles enshrined in the Charter of the United Nations, including sovereign equality, non-intervention and prohibition of the use or threat of use of force. Attempts to replace that order with a so-called rules-based order, including through the imposition of unilateral coercive measures in contravention of the Charter and universal international conventions, politicization and the use of double standards to further narrow national interests, threatened international peace and security and undermined international cooperation. Some influential States were promoting new concepts and doctrines that advanced the idea that some countries and peoples were

superior to others, which fostered enmity and conflict in international relations and set the international community back decades. Whether fundamental principles and rules of international law applied to a State had become dependent on it being a member of a group of States and that group's subjective assessment of the State's commitment to the group's values.

22. In recent years, national differences had led to an increase in the number of confrontations between the major Powers, wars, cases of external interference in the sovereign affairs of States and to growing economic, social, technological and other inequalities among States, global economic crises and mass migrations. The only way to overcome such differences, address international challenges and ensure that the international community was based on the rule of law was through dialogue, cooperation and mutual protection, underpinned by respect for the principle of sovereign equality of States. The primary responsibility for building trust and cooperation among States in that regard lay with the major Powers, universal international organizations and regional organizations of key groups of States.

23. Referring to the initiatives mentioned in the Secretary-General's report (A/78/184), he said that his delegation welcomed the Organization's efforts to help States to strengthen their legal institutions and judicial systems with a view to improving access to justice and enhancing institutional effectiveness, transparency and accountability. It also welcomed the Organization's efforts to monitor rule of law trends in developing countries in order to ensure timely responses to threats to national institutions and peace processes. Belarus also valued the Organization's assistance to States in the areas of security, crime prevention and armed violence reduction and its support to States in strengthening their capacities to combat firearms trafficking.

24. Strengthening the rule of law in conflict and post-conflict situations was a precondition for the existence of government institutions, law enforcement organs and justice systems. The well-being and security of a population depended to a large extent on the stability and effective functioning of the State. Crime, chaos and lawlessness were the result of the inability of State structures to perform their core functions. Digital technologies, when used in accordance with the law, with effective data privacy protections, would continue to contribute to expanding access to justice. His delegation therefore welcomed the timely inclusion of the subtopic "Using technology to advance access to justice for all" under the current agenda item. Belarus welcomed the important work of the International Law Commission, the Ad Hoc Committee to Elaborate a

Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes and the United Nations Commission on International Trade Law in the codification and development of international instruments, norms, standards and rules.

25. For States and international organizations to fulfil their treaty obligations, the Organization's relevant entities should pay more attention to proposals calling for international responsibility for violations involving the use of illegal unilateral coercive measures, the arbitrary interpretation and non-fulfilment of international obligations, and the politicization of issues of an exclusively legal nature. The Organization should also continue its work to provide technical assistance and advisory services to interested States in support of their implementation of universal legal instruments. Attempts by certain States to put pressure on the legal systems, justice systems and legal culture of developing countries weaponized the rule of law and amounted to gross interference in the sovereign affairs those countries. States had exclusive competence over rule of law matters at the national level, while the international community could only assist States in the implementation of international law norms and only with their consent. National legal reform was a gradual process, which must be carried out strictly in accordance with constitutional provisions, taking into consideration traditional values and social factors, not through violence, upheaval and external interference.

26. *Ms. Lungu (Romania), Vice-Chair, took the Chair.*

27. **Mr. Zerbe** (Switzerland) said that the past year had seen growing threats to the rule of law. Conflicts, violations of international humanitarian law and international human rights law and the use of sexual violence as a weapon of war had become commonplace, and judicial independence, democratic institutions and women's rights had been further eroded. More than half of the world's population lived in countries where the rule of law was in decline.

28. In that context, it was essential, first, to implement the New Vision of the Secretary-General for the rule of law, which reaffirmed the interrelationship between human rights and the rule of law. His delegation welcomed the commitment of the United Nations High Commissioner for Human Rights to translate the New Vision into action. Second, it was important to address new and emerging issues. There must be international rules on new technologies, and guarantees of responsible use of digital technologies and artificial intelligence must be respected. Furthermore, the rule of

law should play an important role in efforts to protect the environment and promote climate justice.

29. Third, the rule of law and accountability for international crimes were inextricably linked. Investigative mechanisms such as 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, the analogous structure for Myanmar and the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL played an important role in collecting evidence and facilitating national and international efforts to prosecute the most serious crimes under international law. Switzerland remained steadfast in its commitment to the fight against impunity and in its support for the International Criminal Court and the other international judicial mechanisms, which played a crucial role in ensuring justice for the victims of serious crimes. The current situations in Ukraine and the Middle East were heartbreaking evidence of the urgent need to ensure respect for international law in conflict situations. Violators of international law must be held accountable.

30. **Mr. Heidari** (Islamic Republic of Iran) said that, to save succeeding generations from the scourge of war, the founders of the United Nations had established a multilateral international legal order based on the sovereign equality of States and the prohibition of the threat or use of force in international relations. However, multilateralism had been repeatedly undermined by the unilateral approaches of certain Member States by withdrawing from international treaties and international organizations, waging trade wars, committing economic and medical terrorism through inhumane unilateral coercive measures, weaponizing their national currencies in order to abuse the international financial system, penalizing multiple States for abiding by Security Council resolutions, confiscating the assets of national banks and imposing inhumane restrictions on the accredited representatives of some Member States. Those and other vicious manifestations of unilateralism seriously endangered the rule of law at the international level.

31. To defend its rights under international law, the Islamic Republic of Iran had brought three cases before the International Court of Justice. In a 2018 order, the Court had unanimously indicated that the United States should remove any obstacles created by its illegal actions and decisions following its withdrawal from the Joint Comprehensive Plan of Action, including impediments imposed on Iranian trade in certain areas and access to humanitarian goods. The defendant had

blatantly disregarded that order and instead intensified its sanctions against the Islamic Republic of Iran and its people. Indeed, the United States had a history of disregarding the Court's judgments, including its refusal to grant compensation and economic reparations to the Republic of Nicaragua for the human loss and material damages caused by its military and paramilitary aggression in the 1980s. Its disrespect for the decisions of the main judicial body of the United Nations undermined the rule of law at the international level.

32. His delegation condemned the imposition of new colonialism on the global South, particularly the African continent, by the same Powers that had been practising old-fashioned colonialism before the establishment of the United Nations. Inflicting neo-colonialism on sovereign and independent States undermined the core tenets of the Charter of the United Nations. His delegation also rejected attempts to introduce new concepts as principles of international law, such as "rules-based order" and the "responsibility to protect," which had the potential to undermine the rule of law by providing unclear grounds for arbitrary military and non-military interventions and interference in the internal affairs of States, in clear violation of the Charter. It was imperative that Member States uphold the United Nations-centred international system and an international order underpinned by international law.

33. **Mr. Escobar Ullauri** (Ecuador) said that respect for the norms and principles of international law provided a solid foundation for lasting peace by preventing the reign of force. The use of existing technologies to keep justice systems running during the COVID-19 pandemic had revealed the potential of technology to advance access to justice. Especially where resources were limited, new technologies could be used to eliminate discrimination in the justice system, increase transparency and create accountability and anti-corruption mechanisms. At the same time, if used incorrectly, they could threaten the rule of law by enabling cybercrime. Also, some justice system user data was covered by privacy law and must be protected. Thus, using technology to advance access to justice required both promoting technology and establishing safeguards to protect human rights. In addition, as new technologies became more essential to the functioning of justice systems, equitable access to them also became more essential. Closing the digital divide was imperative for the rule of law, and developing countries would need technical and financial assistance for that purpose.

34. **Mr. Pieris** (Sri Lanka) said that public confidence in the people who administered the judicial system was the backbone of the rule of law. It was incumbent,

therefore, on all States to develop and sustain their judicial human resources. In addition, systems were needed to ensure the fair and just application of the laws and principles agreed by Member States, including the principles enshrined in the Charter of the United Nations.

35. Over time, the number of multilateral treaty bodies had grown, helping to advance the rule of law but also requiring States to enhance their capacities. The necessity of inclusiveness and transparency in treaty bodies had become more apparent in an age of digital communication, and the need for coherence, coordination and avoiding overlapping mandates had increased. Under Article 13 of the Charter, the General Assembly was responsible for encouraging the progressive development of international law and its codification. The United Nations had been successful in significantly strengthening the rule of law on a global scale through multilateral treaty processes.

36. While the principle of the rule of law was imperfectly defined and considered simple rhetoric by some, it had in fact gained settled meaning. The rule of law was a practical and achievable objective. Some considered the concept of rule of law a means of imposing different traditions and cultures and, thus, part of a new imperialism. However, far from being the monopoly of the developed world, the concept arose from a fundamental need to recognize human dignity and protect fundamental rights; it was thus universally applicable. Any form of discretionary, arbitrary power was incompatible with the rule of law.

37. **Ms. Sao** (Mauritania) said that the rule of law implied that all citizens had access to justice, regardless of their means. The Constitution of Mauritania protected human rights and allowed the provisions of treaties to which Mauritania was a party to be invoked in national courts as superior to national law. The principle of non-discrimination enshrined in the Constitution had been translated into laws on access to justice, equal pay for work of equal value and access to public services. Human rights, the fight against torture and the fight against slavery were a mandatory part of the curricula of the National School of Administration, Journalism and the Judiciary, the National Police School and the training centres of the Gendarmerie and the National Guard. The Government worked with civil society and its development partners to organize regular training sessions for the principal justice and civil society actors on different topics related to the protection and promotion of human rights.

38. In recent years, the Government of Mauritania had undertaken economic reforms that had fostered

economic growth, substantially decreased financial imbalances, reduced poverty and improved development indicators. The Government had also implemented electoral reforms, and it had set wide-ranging goals for the reform of governance, including improving access to justice and the quality and effectiveness of justice. Public finance monitoring mechanisms had been put in place to combat corruption, enhance transparency and improve financial management, and governance and government services were being decentralized to strengthen local and regional administration.

39. **Mr. Chindawongse** (Thailand) said that his Government was resolute in its belief that the rule of law should prevail amongst nations and amongst people. It therefore maintained its faith in the sanctity of the rule of law and in the conviction about the merits of constructive engagement. That conviction formed the bedrock of multilateralism and underpinned international instruments used by States, large and small, to advance peace, prosperity and progress.

40. The world was rapidly and constantly changing, with new challenges continuously emerging, including as a result of new technologies. However, those same technologies could also be used to address those challenges, including in the evolving contemporary contexts of international law. That evolution must be addressed effectively through multilateralism and the rule of law. For example, technology could be used to promote the rule of law and access to justice, and thereby contribute to the achievement of Sustainable Development Goal 16. Peace and strong, inclusive institutions which made justice for all possible were vital in upholding the rule of law. The rule of law could only be upheld if institutions were inclusive, and they were considered inclusive if access to justice was provided to all. For example, starting during the coronavirus disease (COVID-19) pandemic, Thai courts had been using videoconferencing technology to examine witnesses, in order not to delay justice and to ensure that no one was left behind.

41. The rule of law and access to justice should also be promoted through knowledge sharing and education. Thailand supported the efforts of the Organization in that area, including through the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Thailand was proud to be co-hosting the 2023 regional course in international law for Asia-Pacific, and hoped to continue its partnership with the Office of Legal Affairs for years to come. His delegation appreciated the work undertaken by the Organization to strengthen and promote the United Nations treaty

framework. The timely registration and publication of treaties promoted accessibility, inclusivity and transparency, and thus the rule of law. His Government maintained a publicly accessible treaty database for treaties to which Thailand was a party.

42. Lastly, his delegation welcomed the important role played by the International Law Commission in the promotion of the rule of law as a principle of governance. It appreciated the report of the Commission on the work of its seventy-fourth session (A/78/10), which included a section on the current role of the Commission in promoting the rule of law.

43. **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 had used technology to respond to the challenges created by the pandemic, including by broadening the use of virtual hearings in courts and tribunals to ensure access to justice. Lessons learned from the pandemic had helped her country to build a common practice and guidelines aimed at ensuring that remote trials were fair and free from intimidation or malicious influence. Legal representation was provided during remote hearings, including those conducted from prisons or detention facilities. Technology could facilitate access to justice for vulnerable groups, such as people who relied solely on mobile devices.

44. The United Kingdom was proud to have championed the Sustainable Development Goals, especially Goal 16, on peaceful and inclusive societies. Technology was key to promoting and providing effective, accountable and inclusive institutions at all levels. In that connection, her country's legal sector had been engaging with its counterparts in other countries on their migration to online services, to share lessons and experiences that improved the experience of end users. Using technology to advance access to justice for all was also important for the citizens of the United Kingdom, as demonstrated by the programme on the digitalization of the court service, through which the United Kingdom exchanged expertise on court reform and e-court projects with partner countries. In addition, through the Judicial Review and Courts Act 2022, her Government had established a judicially led body which was tasked with building a new procedural code for digital justice, as well as overseeing and encouraging the adoption of digital procedures in courts, tribunals and wider dispute resolution.

45. While embracing technological advances and the opportunities they provided to enhance access to justice, the United Kingdom was also aware of the need to guard against the use of technology to cause harm or

undermine the rule of law. Therefore, her Government was in the process of adopting an online safety bill, which would make cyberspace safer by ensuring that social media companies were held responsible for the content published on their sites. The bill would make justice possible for people who had previously been unable to find a remedy for online abuses that would be considered crimes offline. Through the bill, the Government also intended to provide better protection for children, and for women and girls who were victims of violence.

46. **Mr. Mainero** (Argentina) said that his delegation was concerned about the global decline in the rule of law and the backsliding of democracy and women's rights during the reporting period. The rule of law was a foundational component of fair societies, independent and accessible justice systems, and peace and development. His delegation welcomed the Secretary-General's New Vision for the rule of law.

47. In order to achieve Sustainable Development Goal 16, it was necessary to ensure that justice was not the privilege of a few, but was accessible to all. That would entail placing people and their legal needs at the heart of legal systems, empowering people to understand and make use of the law, encouraging the use of mediation and other methods to prevent conflicts from breaking out, and eliminating administrative and financial barriers that hampered access to justice services.

48. The deficit in access to justice observed during the pandemic had highlighted the need to re-examine the way in which justice systems functioned, in particular, the need to harness digital technologies to impart justice. Indeed, during the pandemic, States had incorporated new practices, such as electronic document submission and virtual hearings, into their legal systems. Although such practices posed challenges for due process, they could make justice systems more accessible and efficient, for instance by enhancing access to justice in remote areas, increasing legal representation and witness participation, and eliminating procedural delays.

49. Nevertheless, for the benefits of those advances to be felt by all, it was necessary to reduce the digital divide – otherwise, digitalization would only exacerbate inequality and discrimination. It was equally important to ensure that the use of technology did not endanger human rights, such as the rights to due process and data privacy. Other challenges, including those posed by artificial intelligence, must also be tackled in order to strengthen access to justice.

50. **Ms. Chan Valverde** (Costa Rica) said that her delegation was concerned by the global decline in the

rule of law, coupled with additional challenges such as political polarization, corruption, inequality, politicization and the weakening of justice institutions. On a positive note, however, her delegation noted the focus, in the report of the Secretary-General (A/78/184), on gender equality, the use of technology to enhance access to justice and the role of free and independent media, as well as the progress which had been made in several relevant areas.

51. The world appeared to have accepted the notion that might made right, but it must reject it. Costa Rica supported the Secretary-General's New Vision for the rule of law, which promoted a people-centred, gender-sensitive and forward-looking approach by the United Nations system. The Secretariat should redouble its efforts to enhance compliance with the rule of law in all its activities and to promote coherence among the entities involved in that endeavour, including peace operations. Building a world in which the rule of law was fully respected would not be straightforward, and would require sustained commitment, collective technical and political efforts and, above all, the determination to succeed.

52. **Ms. Šebenik** (Slovenia) said that ensuring that justice was accessible to all remained a significant challenge in many countries. Technology offered an opportunity to bridge gaps resulting from a lack of resources and inefficiencies in legal systems, and thereby to advance access to justice. Digital technologies could not only enhance the efficiency and accessibility of justice systems, but could also be a powerful tool for promoting legal education and literacy. Remote legal services could make legal assistance available in underserved and remote areas. For those reasons, it was paramount to ensure that technology was accessible and affordable to all.

53. However, for technology to benefit all, it was necessary to bridge the digital divide. As the use of technology increased, strong legal frameworks and enhanced international cooperation would also be needed in order to protect the privacy and security of people's data. The international community should be mindful of the growing number of Governments which were misusing digital technologies to restrict access to information and curtail the exercise of human rights and fundamental freedoms. They often targeted journalists, human rights defenders, activists, workers and union leaders, political opposition members or others perceived as dissidents or critics.

54. In conclusion, technology was a powerful enabler in the pursuit of justice for all, but its deployment must be approached with a commitment to equity, inclusivity

and privacy. By working together, sharing best practices and upholding the principles of the rule of law, the international community would be able to leverage technology to create a more just and equitable world where access to justice was not a privilege, but a right for all.

55. **Ms. Falconi** (Peru) said that adherence to rule of law was a precondition for political dialogue and cooperation among States, as well as the achievement of the Sustainable Development Goals. At the national level, Peru recognized the decisive contribution that technology could make to ensuring access to justice for all. Digital technologies must be used to overcome historical and geographical barriers to enable all people, including those in the most remote regions of Peru, to have access to legal services. Accordingly, her Government had launched digital platforms that made it possible to initiate legal proceedings, consult records and access legal decisions online, thereby making justice more accessible and transparent. However, it was essential to ensure that those who lacked regular access to technology were not excluded. Technology also facilitated alternative means of conflict resolution: online mediation platforms had proved to be effective, reducing the burden on tribunals and offering parties a faster and less costly means for resolving their disputes. Peru was committed to establishing a legal and ethical framework to protect people's rights and privacy in order to address the ethical and privacy-related issues associated with the adoption of such technology.

56. Her Government was working to strengthen justice institutions and to provide free access to justice. Peru considered the right to public defence to be a fundamental human right, and its Ministry of Justice and Human Rights provided free legal assistance in criminal and other matters. It also defended persons who had been the victims of rights violations. Peru attached great importance to strengthening the capacity of the United Nations in preventive diplomacy and the early warning mechanisms required for that purpose, in compliance with Articles 1, 34 and 99 of the Charter. It was deeply concerned about the frequent violations of international law; international peace and security could not be maintained without respect for the rule of law. Lastly, with regard to international accountability mechanisms, her delegation considered it fundamental to investigate and document and subsequently prosecute alleged atrocities.

57. **Ms. Solano Ramirez** (Colombia) said that her delegation welcomed the collaborative work between the United Nations and various Governments to promote the rule of law around the world, as highlighted in the Secretary-General's report (A/78/184). In the case of

Colombia, with regard to access to justice in situations of forced displacement, the Secretary-General noted that, as a result of the increased number of internally displaced persons, refugees and stateless persons, the United Nations had increased its focus on advancing access to justice for both forcibly displaced populations and host communities. The Secretary-General also noted the Organization's efforts with respect to the design and implementation of inclusive, context-specific and victim-centred transitional justice processes. Her delegation wished to highlight in particular the fact that, in Colombia, the United Nations had assisted in disseminating the final report of the Truth Commission, had provided technical assistance during the regional hearing process of the Special Jurisdiction for Peace, and had continued its gender equality efforts in transitional justice contexts, supporting women's meaningful inclusion and leadership. The cases cited in the report showed that sustainable, long-term solutions to the multidimensional global problems inherent in the rule of law required coordinated measures and the full implementation of international law.

58. Colombia believed in people-centred justice. Its laws and legal institutions were accessible to all, information on legal processes was easily accessible and trials could be held virtually. The Government had embarked on the establishment of special courts to conduct different types of legal processes and legal institutions had developed non-discriminatory, fair policies that responded to the needs of all people. Much remained to be done, but the country was moving in the right direction. Colombia stood ready to put the lessons it had learned and the capacity it had built at the service of other States in similar positions, and to continue to cooperate with the United Nations to promote the rule of law at the national and international levels.

59. **Mr. Li Linlin** (China) said that as the world was facing rapid change, leading to growing uncertainty and instability, it was all the more important to advance the rule of law, practise true multilateralism and pursue human progress. Member States must act in accordance with the Charter of the United Nations, including in safeguarding the authority of the Charter, exercising their rights on an equal footing, fulfilling their obligations in good faith, rejecting double standards, upholding the principle of sovereign equality, peacefully settling international disputes and opposing hegemony, interference, coercion and illegal unilateral sanctions. Member States must also uphold the international system with the United Nations at its core, which involved supporting the Security Council to maintain international peace and security and leveraging

the expertise of the United Nations specialized agencies in global economic, social and cultural governance. Regional organizations could play a role in solving local problems, but they must not overstep their boundaries.

60. Member States should consolidate and develop international law on the basis of the Charter and the basic principles of international law, including the principle of non-interference in the internal affairs of States. They should improve rules in areas including artificial intelligence, data security and public health. Relevant multilateral mechanisms must also be optimized to guarantee the equal right of all countries to participate in global governance. Certain countries were seeking to replace internationally agreed rules with their own set of rules. The international community should stay vigilant in order to prevent individual countries from using the defence of the international rules-based order as a pretext to undermine the status of the Charter and the central position of the United Nations in the international system.

61. The year 2023 marked the tenth anniversary of the Belt and Road Initiative. Since its launch, all parties involved had been working to develop and improve relevant legal norms and deepen judicial and law enforcement cooperation. His Government had recently introduced two important pieces of legislation on foreign relations, which were timely as China was increasingly opening up to the world. In recent years, Chinese courts had continued to integrate technological innovations into judicial services in order to advance access to justice for all. More than 3,500 courts had established one stop litigation centres, which were being used to resolve a high percentage of disputes nationwide and had greatly reduced litigation costs. In addition, litigation services could be accessed through several platforms, including online and over the telephone, 24 hours a day. A community-based prosecution model had been established, allowing plaintiffs to choose a conveniently located court for their cases, and mobile courts were operational in remote areas. Since 2017, three courts had been established in Beijing, Guangzhou and Hangzhou that could process a large number of cases online.

62. Combating corruption and transnational crime was an important aspect of the rule of law. China supported the United Nations Convention against Corruption as the main channel for international cooperation to combat corruption, and continued to promote relevant cooperation in frameworks including the United Nations, the Group of 20 and the grouping of Brazil, Russia, India, China and South Africa. China had enacted new laws to strengthen the legal basis for combating organized crime, and had cooperated

fruitfully with other countries under the auspices of the Convention. It would continue to work with all parties to advance the rule of law at the international level in order to promote fairness, justice and the progress of human civilization.

63. **Mr. Nouh** (Egypt) said that his Government welcomed the efforts of the Secretariat to support Member States in strengthening the rule of law at the national level. However, the Secretariat should ensure that those efforts were consistent with the approach of the broader membership of the Organization, and should avoid introducing terms and concepts on which there was no consensus. His delegation therefore had reservations about paragraph 89 of the report of the Secretary-General (A/78/184), in which it was stated that the United Nations continued to promote the universal abolition of the death penalty. Under article 6 of the International Covenant on Civil and Political Rights, States had the sovereign right to impose the death penalty for the most serious crimes under their national laws.

64. At the national level, his Government had introduced numerous measures to strengthen the rule of law, protect citizens' rights and make the judicial system more effective, including the restructuring of the high-level commission on legislative reform and the continued implementation of the national human rights strategy for the period 2021–2026. At the international level, talk about the rule of law would continue to lack credibility unless crimes like the massacre perpetrated by Israel with the bombing of a hospital in the Gaza Strip were stopped and those responsible held accountable. The massacre had caused the deaths of more than 500 martyrs; it constituted a war crime and a crime against humanity. The crimes committed against the defenceless Palestinian people were due to the feeling of immunity by Israel. The international community must come together and take a firm and unequivocal stand to put an end to those crimes.

65. International law and international criminal justice must be properly applied. As long as a number of States refrained from condemning the crimes committed against the Palestinian people and, worse, sought to justify them, the Committee's discussion on legal matters, draft resolutions and the development of international law could not be credible. International law must not be applied selectively or based on double standards and the killing of civilians could not be justified. The massacre at the hospital, which had occurred on the same day that the current meeting was being held, was one of many crimes committed by Israel against the defenceless, occupied Palestinian people, who were deprived of the most basic human rights. That

made it all the more imperative for the Committee to firmly condemn the attack and to bring to justice those responsible, in order to preserve its humanity, its credibility and the credibility of the Organization as a whole. His statement was not a plea or an appeal for mercy from anyone; rather, it stemmed from a position of strength and on the power of truth and justice, which would inevitably triumph one day.

66. **Ms. Arumpac-Marte** (Philippines) said that the coronavirus disease (COVID-19) pandemic had accelerated the use of technology within her country's justice system to uphold the rule of law and ensure access to justice through "new normal" trials, videoconferencing, online hearings and e-inquests. The Supreme Court had launched a five-year judicial reform plan to modernize court processes and operations; strengthen the governance, management and operations of information and communications technology; use data effectively in policymaking and decision-making; and improve information-sharing in the justice system. The Court also aimed to improve public access to information and legal services, strengthen legal aid initiatives and promote gender fairness and inclusivity.

67. The digital transformation of the judiciary could serve to strengthen the administration of justice. The Supreme Court also envisioned the use of artificial intelligence-enabled platforms to identify areas in which preventive legal literacy might be of value, with consideration for the relevant privacy and ethical concerns. Following the first year of the judicial reform plan, it had been noted that technological advances could assist developing countries in improving the impact of institutional reforms. It was therefore necessary to enhance international cooperation in that regard. Information and communications technology initiatives could contribute to addressing some of the technical and procedural difficulties that hindered access to justice, in particular in terms of costs and delays. However, capacity-building on the use of such technologies remained key to a successful digital transformation.

68. At the international level, the Philippines advocated the peaceful settlement of disputes and promoted the role of international tribunals and legal bodies in fostering greater solidarity for the values that underpinned the United Nations. As an archipelagic State whose destiny was intimately linked with the oceans, the Philippines adhered to the 1982 United Nations Convention on the Law of the Sea as the legal framework governing all activities in the ocean, the primacy of which had been confirmed in the 2016 arbitral award issued in *The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of*

China), which had definitively settled the status of historical rights and maritime entitlements. The international community had a collective responsibility to preserve a rules-based global order governed by international law and informed by the principles of equity and justice. The future of the United Nations rested on the predictability and stability of international law, which safeguarded the rights of all States. If multilateralism was to endure, all States must adhere to the rule of law.

69. **Ms. Motsepe** (South Africa) said that her delegation appreciated the assistance provided by the United Nations to Member States to promote the rule of law and respect for human rights at the national and regional levels. The situation in the Middle East following the deadly clashes between Israel and Hamas gave cause for concern. The number of fatalities, serious injuries and displacements suffered by civilians while the international community stood by was totally unacceptable. The intentional denial of food, water, electricity and fuel to the people of Gaza was a violation of the Geneva Conventions of 12 August 1949 and should be condemned. The international community could not begin to discuss respect for the rule of law while ignoring the complete disregard for the principles of international humanitarian law. Her delegation called for an end to all hostilities in Israel and Palestine and reiterated that the continued siege of Gaza was not conducive to resolving disputes in the region. Conflicts could never be resolved by violence, killings, imprisonment, forced removals or illegal settlements. South Africa called on Israel to immediately heed the calls of the Secretary-General, the humanitarian organizations operating in Gaza and many Governments around the world to immediately provide water, food, fuel and electricity to the people of Gaza. It also called for the release of the Israeli hostages being held in Gaza.

70. The rule of law was a cornerstone of development, governance and security and was embedded in Sustainable Development Goal 16. As such, all countries had a responsibility to adhere to and uphold the rule of law. Her delegation welcomed the Secretary-General's New Vision for the rule of law, as set out in his report entitled "Our Common Agenda", which promoted a people-centred, gender-sensitive and forward-looking approach by the United Nations.

71. An independent and effective judiciary was a key component of a constitutional democracy. It must be free from undue influence and uphold the principle that no one was above the law. It must also be accountable. Her delegation agreed with the Secretary-General, who stated in his report (A/78/184) that, 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. South Africa had embarked on an initiative to modernize court procedures and provide flexibility for the use of videoconferencing and electronic filing and record-keeping, with a view to improving access to justice. In addition, the Government continued to strengthen law enforcement agencies in order to prevent crime and violence, particularly against women and children, which required a comprehensive approach and integrated strategy that harnessed all capabilities of the police and the criminal justice system, alongside the efforts of civil society. South Africa continued to mobilize all available resources and capabilities to that end. It had also implemented a number of initiatives and programmes aimed at combating corruption, which undermined democratic institutions, stifled economic growth and fuelled political instability.

72. **Mr. Mohammed** (Sudan) said that his Government had been working to review its laws and align them with international standards and agreements. It had also undertaken efforts to build its national capacities and enable the competent agencies to fulfil their responsibilities in accordance with the Constitution and relevant legislation. The Charter of the United Nations and the principles therein were a comprehensive framework for the rule of law at the international level, which ensured friendly relations among States based on dialogue, understanding, respect for the sovereignty of States and the prohibition of the use or threat of use of force in international affairs.

73. The peaceful settlement of disputes was the best way to achieve international peace and security. 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.

74. **Mr. Alkaabi** (Qatar) said that his country resolutely condemned the bombing of a hospital in Gaza by the Israeli occupation. The brutal massacre of unarmed civilians was a blatant violation of international law and international humanitarian law. Qatar expressed deep concern about the developments in Gaza and called on all parties to exercise the utmost restraint and spare civilians from the fighting. The collective punishment of the Palestinian people, including calls for them to leave their homes and seek

refuge in neighbouring countries, would only redouble their suffering. The international community must move quickly to open humanitarian corridors to allow international organizations to deliver food and medical aid to civilians in Gaza.

75. The rule of law was essential to the realization of the purposes and 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.

76. In 2013, in cooperation with regional and international organizations, Qatar had founded the Rule of Law and Anti-Corruption Centre in Doha, which held seminars, workshops and academic programmes for specialists throughout the region. His 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.

77. **Mr. Dang** Hoang Giang (Viet Nam) said that all Member States must promote and uphold the rule of law at all levels in order to rebuild trust, demonstrate sincerity, bolster solidarity, enhance multilateralism and respond effectively to the increasingly complex challenges facing the international community. They must also respect the Charter of the United Nations and international law and comply with the principles of respect for sovereignty, independence, territorial integrity and the prohibition of the use or threat of use of force. Double standards and the selective interpretation and implementation of international law were unacceptable, and all disputes and conflicts must be resolved by peaceful means. All parties to ongoing conflicts must adhere to international law and international humanitarian law, with a view to restoring peace, ensuring the safety and security of civilians and civilian infrastructure, and responding adequately to urgent humanitarian needs. The International Court of Justice and other international judicial institutions played a pivotal role in that regard. Adherence to their decisions would contribute to fostering amicable

relations among States, sustainable development and international peace and security.

78. His delegation welcomed the efforts of the United Nations to support Member States in promoting the rule of law at the national and international levels, including through discussions to establish international legal frameworks related to emerging issues, such as cybersecurity, marine debris and pandemics. Viet Nam therefore welcomed the adoption of the Agreement 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, which reaffirmed the Convention's role as the legal framework for all activities in the oceans and seas.

79. At the regional level, the members of the Association of Southeast Asian Nations were dedicated to the peace, stability and prosperity of South-East Asia. However, recent developments in the East Sea, also known as the South China Sea, continued to undermine peace, security and stability in the region. Viet Nam therefore called on all parties to fulfil their obligations under the United Nations Convention on the Law of the Sea in good faith, enhance mutual trust and confidence, exercise restraint, settle disputes by peaceful means in accordance with the Convention and fully respect diplomatic and legal processes. It remained committed to implementing the Declaration on the Conduct of Parties in the South China Sea and working towards the completion of an effective and substantive code of conduct that would be in line with international law, including the Convention.

80. At the national level, Viet Nam had made significant progress in fostering legal and judicial reform. It had improved the quality and accessibility of legal aid services, provided alternative restorative justice measures for juvenile offenders and established a family and juvenile court.

81. **Mr. Akram** (Pakistan) said that, in the face of recent events, it was difficult to extol the virtues of the rule of law. Pakistan strongly and unequivocally condemned the cowardly and criminal attack by Israel on a hospital in Gaza. The wilful killing of civilians was a war crime and a crime against humanity. There must be accountability for those responsible for that crime and those who had enabled Israel to carry out the attack by resisting a ceasefire. Since the beginning of Israeli operations, Pakistan had expressed its deep concern about the indiscriminate attacks in Gaza, which had resulted in massive civilian casualties. It called for an immediate ceasefire and regretted that the Security Council had been unable to issue such a call. In addition,

Pakistan fully endorsed the call for the opening of humanitarian corridors to allow for the delivery of food, water, medicine, fuel and other essential supplies to the Palestinians in Gaza. It also opposed the displacement of the Palestinian population. His Government was coordinating with the Palestine Red Crescent Society, relevant United Nations entities and the Government of Egypt to deliver humanitarian relief assistance to Gaza. It was important to remember that the root cause of the latest violence was the prolonged and illegal occupation of Palestine, the usurpation of the lands and property of Palestinians, and the accompanying oppression and severe violations of human rights committed with impunity by Israel. The illegality of that occupation had been reaffirmed by the International Court of Justice in its advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*.

82. The struggle of peoples under foreign occupation for self-determination and national liberation was legitimate under international law; peoples also had the right to use all possible means to achieve freedom. However, the suppression of that struggle was illegal. A foreign occupying force had no right to self-defence. Any response to the current conflict must be based on securing from Israel respect for international law, including the United Nations resolutions that recognized the inalienable right to self-determination of the Palestinian people, and the end of its illegal occupation of Palestinian territories, including East Jerusalem.

83. **Mr. Mora** (Cuba) said that 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.

84. True rule of law would begin with a reformed United Nations that set a standard for transparency, democracy and participation of the entire international community in the solution of critical global problems. As part of such reform, the central role of the General Assembly, the only body with universal membership and with exclusive responsibility for the progressive development and codification of international law, must be consolidated. Member States must clearly respect the functions of the main bodies of the Organization, with their balanced functions and powers. 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.

85. After adopting a new Constitution, Cuba was updating its laws to strengthen the socialist rule of law and social justice through a democratic exercise undertaken with extensive debate and analysis. It was also strengthening its political system in order to consolidate and develop the fundamental rights of its citizens and align its domestic legislative framework with international law. Those national efforts were, however, deliberately hampered by the United States policy of destabilizing and subverting the political system chosen by the Cuban people. Nevertheless, the efforts of a foreign power to subvert the constitutional order freely chosen by the people were futile, as were sanctions and unilateral lists aimed at changing the established regime. 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.

86. 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 the few. 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 over 60 years. Cuba also denounced the double standards of certain countries that appeared to promote international law while violating its principles. True rule of law called for the unequivocal rejection of any unilateral acts or measures that violated those principles.

87. New national legal standards recognized the use of information and communications technology as a tool to handle judicial processes, proceedings, communications and access to information about trials, as well as to lodge complaints and receive responses. New applications had been introduced to facilitate digital development in the justice system. As part of the judicial reform process, actions had been taken to support communication with internal and external users and to

provide transparency with regard to the role of national institutions.

88. **Mr. Hermida Castillo** (Nicaragua) said that his country reiterated its commitment to strengthening the true rule of law with a view to changing the unjust international order. The rule of law at the national level and the rule of law at the international level were complementary. At the international level, the rule of law was rooted in respect for the principles of sovereign equality and non interference in the internal affairs of States and the obligation to settle disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of any State. It was vital to respect the legal institutions of all States and to recognize the sovereign right of all peoples to establish their own legal and democratic institutions.

89. Nicaragua based its international relations on friendship, solidarity and reciprocity among peoples. It not only recognized the principle of the peaceful settlement of international disputes through the means offered by international law, but had used such means on several occasions, placing its trust in the International Court of Justice. In 1986, the Court had delivered a judgment in which it had found that the United States had engaged in State terrorism. Nicaragua continued to demand that the United States Government fulfil its legal obligation to make the reparations ordered by the Court in that judgment, which was final and binding.

90. The international community must defend the Charter of the United Nations, as some of the major Powers were acting in a manner that was incompatible with the purposes of the Organization, in an attempt to undermine the right to self-determination and political independence of developing countries. Nicaragua condemned illegal unilateral coercive measures, which violated the right to development and human rights, and exacerbated poverty, inequality and pandemics. Nicaragua had followed a path of peace and stability, even in the face of imperial and neo-colonialist aggression, and developed policies to ensure that its people could live in harmony with nature and their environment.

91. **Mr. Nyamid** (Cameroon) said that although his delegation shared the Secretary-General's regret that there had been a global decline in the rule of law and a backsliding of democracy, as expressed in his report (A/78/184), it welcomed the progress made in strengthening the rule of law in fragile contexts. For example, in its resolution 76/300, the General Assembly had recognized the right to a clean, healthy and

sustainable environment as a human right, which would hopefully lead to more robust climate action and related funding for developing countries.

92. His delegation aligned itself with the statement delivered by the Secretary-General to the Security Council on 12 January 2023 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", in which he had stressed 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". Despite some reservations, his delegation broadly welcomed the Secretary-General's New Vision for the rule of law. States in all regions of the world must undertake the arduous task of curbing the emergence of "grey zones", which could lead to a state of lawlessness. Cameroon was committed to achieving all 17 Sustainable Development Goals, despite the need to prioritize certain issues, which slowed the momentum of others. Nevertheless, it paid particular attention to issues related to poverty, hunger, health, education and gender equality.

93. His delegation welcomed the considerable efforts made by the United Nations to help ensure that technology was used to facilitate access to legal information, with a view to strengthening case management, integrity, transparency and accountability during legal proceedings. However, in less developed countries, which were just beginning to use technology and lacked the required expertise, technological solutions could not be the standard in complex, fragile contexts. Instead of building more inclusive and transparent institutions and responding to the needs of populations, digitalization on all fronts could lead to a schism in which a privileged group of people had access to justice and marginalized groups were excluded. Digitalization should therefore be adapted to each environment, in order to ensure equal access to justice for all. The international community must work to make justice services more accessible, 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 temporary mobile courts, and alternative dispute resolution.

94. **Mr. Li Linlin** (China), speaking in exercise of the right of reply, said that, although the United Nations was not the appropriate forum for discussing the issue of the South China Sea, his delegation found it necessary to respond to the erroneous remarks made by the representative of the Philippines and other representatives. China was a State party to the United Nations Convention on the Law of the Sea and had

always complied with its provisions, and matters not provided for in the Convention continued to be regulated by customary international law. China had not participated in the South China Sea Arbitration proceedings and did not accept or recognize the so-called award issued in that case, which had violated the Convention and international law and was therefore null and void. Under no circumstances should it affect the country's territorial sovereignty, maritime rights or interests in the South China Sea. China would continue its efforts to resolve the relevant maritime issues with the Philippines through dialogue and consultation.

The meeting rose at 5.55 p.m.