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## Sixth Committee

### Summary record of the 6th meeting

Held at Headquarters, New York, on Wednesday, 9 October 2014, at 10 a.m.

*Chair:* Mr. Manongi..... (United Republic of Tanzania)  
*later:* Ms. Millicay..... (Argentina)

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Agenda item 82: The rule of law at the national and international levels (*continued*)

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

**Agenda item 82: The rule of law at the national and international levels (A/69/181 and A/68/213/Add.1)**  
(continued)

1. **Mr. Hitti** (Lebanon) said that the rule of law was the cornerstone of free and democratic societies and rested on intangible values such as the guarantee of fundamental rights, including access to justice, which was deeply embedded in the Lebanese legal system. The right to have one's case heard by an impartial tribunal was enshrined in the country's Constitution and, in keeping with the principle of non-discrimination, domestic legislation guaranteed the right of both nationals and non-nationals to seek remedy before its courts. A recently enacted law on domestic violence aimed to ensure women's and children's rights and safety and their access to legal recourse, including the investigation of complaints by a public prosecutor and their processing by a special unit in the internal security forces.

2. Access to justice implied knowledge of the law, and the Lebanese Constitution therefore provided that laws became effective only after being published in the official journal. His Government also collaborated with non-governmental organizations, civil society and United Nations bodies to enhance awareness of the domestic legal arsenal among foreigners. For example, national authorities in cooperation with the Office of the United Nations High Commissioner for Human Rights, the International Labour Organization and Lebanese non-governmental organizations had put in place a unified contract to protect domestic migrant workers. Such contracts must be written in both Arabic and a language understood by the worker.

3. In line with its commitment to the principles of international justice, enshrined in the Charter of the United Nations and other relevant international norms, as well as its determination to combat terrorism, his Government continued to follow the work of the Special Tribunal for Lebanon in seeking to unveil the truth, relieve the families of victims and put an end to impunity. His delegation wished to express its appreciation to the Rule of Law Coordination and Resource Group for the activities it carried out for the advancement of the rule of law, which undeniably consolidated the three pillars of the United Nations: human rights, peace and security, and development.

4. **Ms. Mukasa** (United Republic of Tanzania), welcoming the current debate's focus on the sharing of national practices in strengthening the rule of law through access to justice, said that the cardinal principle of the rule of law at the national level was accountability by all persons, institutions and entities, public and private, including the State itself, with respect to laws that were publicly promulgated, equally enforced and independently adjudicated and which were consistent with natural justice and international human rights norms and standards. At the international level, the rule of law was an integral part of peaceful coexistence and cooperation among nations. Within the context of the United Nations, the doctrine entailed adherence to the Charter.

5. The United Republic of Tanzania was formulating a new Constitution with the aim of ensuring a government that adhered to the principles of good governance, the rule of law and democracy. Access to justice would be an important pillar of the new legal framework. Aware of the importance of ensuring access to justice for all individuals and groups, her Government was endeavouring to increase the number of State attorneys, judges and magistrates; building new courts and renovating old ones; and introducing tele-justice. The establishment of a law school and of committees to accelerate the adjudication of cases had provided greater access to legal representation and more timely access to justice. Lawyers were encouraged to represent members of poor, marginalized and vulnerable groups on a pro bono basis, and a bill was under consideration that would facilitate access to legal aid. The new law would also recognize paralegals as important providers of legal assistance in rural areas. Measures to separate investigation from prosecution of cases would help to ensure not only that justice was done but that it was seen to be done.

6. Legal systems played a significant role in development processes, including State formation, the enshrining of democratic principles, the protection of human rights, the establishment and strengthening of institutions and the regulation of economic relationships. Only in such an enabling environment could governments attract investments that would contribute to development. Development processes were supported where justice was apparent, but undermined where it was not. Barriers such as illiteracy, poverty, cumbersome legal mechanisms,

chronic underfunding and personnel deficits impeded development and presented long-term challenges to the provision of justice that further marginalized social groups such as the poor, women, children and the disabled. Although greater effort and more funding were needed at the grass-roots level, long-term government efforts in her country had yielded some progress towards meeting those challenges, including the establishment of a legal aid unit in the Ministry of Justice. Development partners had supported the Government in enhancing access to justice at the local level. An example was the Legal Services Facility set up in 2013 in collaboration with Denmark. Access to justice for the poor was thus gradually becoming a reality.

7. **Ms. Sandoval** (Nicaragua) said that Nicaragua's relations were guided by the principles of independence, sovereignty, self-determination, dignity, respect, unity and solidarity. Its Government promoted the ideals of international peace and security in its bilateral and multilateral relations and believed that international legal norms and domestic norms could be brought wholly into line only through the application of the true rule of law.

8. Nicaragua fully supported the Palestinian State and people in their struggle for peace, justice and independence and affirmed their right to use all legal means, including becoming a member of international bodies and a party to all international instruments, in order for the rule of law at the national and international levels to be applied in a fair and transparent manner. Nicaragua had always adhered to the principles of friendship, solidarity and reciprocity among peoples and had sought to resolve disputes peacefully through the means available under international law, in particular through the International Court of Justice, whose jurisdiction it urged all States to recognize. It was a party to numerous international instruments, fulfilled its international obligations in good faith and was committed to the promotion and defence of international law.

9. Her delegation firmly condemned those who based their international relations on the threat and use of force and the application of unilateral measures, such as the criminal embargo imposed on the sister nation of Cuba by the United States of America. Her Government demanded that the embargo should be lifted. Other countries had been the victims of

sanctions and coercive economic measures, which undermined the very purpose of the United Nations and prevented full realization of the rule of law. The latter depended, moreover, on the reform of the United Nations, which should be a standard-bearer for transparency, democracy and participation by the entire international community in the solution of global problems. As part of the reform, the role of the General Assembly, as the organ with universal membership and with responsibility for the progressive development of international law and its codification, must be strengthened.

10. One of the distinctive pillars of her country's Government was direct democracy and active participation by the people, which enabled citizens to organize themselves, demand responses and have a direct impact on decisions. It was important to recognize, however, that no model of democracy was universally applicable. Over the course of history every people had organized itself in accordance with its customs and political and socioeconomic situation. Hence, all international cooperation, especially when directed at building national capacity, should be in keeping with national needs, with full respect for sovereignty and self-determination.

11. **Mr. Pavlichenko** (Ukraine) said that the topic of the rule of law at the national and international levels was of special importance to his delegation. The first report of the United Nations human rights monitoring mission in Ukraine had noted serious problems in relation to the rule of law, including widespread corruption encouraged by the highest officials of the Yanukovych regime, systematic abuses of authority by the police and other law enforcement officials, and the lack of an independent judiciary, which had been among the main factors compelling the people of Ukraine to take matters into their own hands.

12. Despite the foreign aggression that Ukraine continued to experience, the country had succeeded in conducting democratic, fair and transparent presidential elections and in signing an association agreement with the European Union, which had been ratified simultaneously in September 2014 by the Ukrainian and European parliaments. The agreement was a landmark document that established a strong basis for implementing domestic reforms with regard to the rule of law, corruption and protection of human rights, property rights and other rights. Following its ratification, President Poroshenko had presented a

strategy that prioritized reforms in respect of corruption, law enforcement, security and defence, decentralization and State governance. He had emphasized that the reforms must be realized through joint efforts by all branches of government, civil society and businesses. The recent adoption of anti-corruption legislation and of a law on lustration had demonstrated the Government's resolve to take action for the reform and renewal of the country. Parliamentary elections scheduled for late October would ensure representation of all segments of the population in the governance process and mark completion of the full reboot of the central Government.

13. The Government was mindful of the need for inclusive dialogue with the regions under the control of illegal armed groups. Parliament had recently adopted laws on interim local self-government in certain districts of the Donetsk and Luhansk regions, and local elections in some areas of those regions had been scheduled for 7 December. Parliament had also passed a law on prevention of prosecution and punishment of persons in connection with events that had taken place in the Donetsk and Luhansk regions, although that measure had generated serious debate in Ukrainian society.

14. Respect for the rule of law at the international level was the basis for international peace and stability, a key precondition for preventing and settling conflicts and for ensuring the predictability and legitimacy of international relations. It began with strict adherence to the Charter of the United Nations and other international treaties in force. Lack of accountability and impunity for violation of the Charter and international treaties had been major contributors to the recent aggression against Ukraine and the occupation and attempted annexation of Crimea. The Security Council should have taken action to prevent that conflict and secure peace and stability in the region. Unfortunately, abuse of the veto power by one permanent member had blocked any practical measures by the Council. By using its veto power, that State — which had previously recognized the borders and territorial integrity of Ukraine in accordance with relevant bilateral treaties in force — had committed an act of aggression against his country.

15. Permanent membership on the Security Council entailed a duty to act responsibly to preserve peace and security in the world. Abuse of the privileges of

permanent members undermined the authority and credibility of the Organization and eroded the principles of the Charter. His delegation therefore welcomed discussions aimed at preventing the use of the veto in cases involving mass atrocities. A code of conduct was needed to ensure compliance with international treaties by all Member States, including the permanent members of the Security Council. There was also a pressing need to develop a legally binding instrument with effective guarantees for States that voluntarily renounced their nuclear weapons.

16. His delegation welcomed the role of the International Court of Justice, the International Criminal Court and other international judicial institutions and arbitration bodies in promoting peace and justice. It was a strong supporter of the role of the United Nations with respect to the rule of law and international law. The Organization could not play that role successfully, however, without finding an adequate solution to the main challenges and gaps that prevented it from being an effective global actor in the field of security.

17. **Mr. Zewdu** (Ethiopia), expressing appreciation for the support that his country was receiving from the United Nations for the implementation of national plans to address human trafficking and the drafting of a new legal aid strategy, said that Ethiopia attached great importance to and supported the leading role of the Organization in promoting and coordinating international efforts to advance the rule of law. The rule of law was essential for promoting international peace and security and should govern inter-State relations in all spheres of life. Strict adherence to the principles of international law would lay the foundation for preventing conflict and make it possible for people and countries to focus their attention on the challenges of development. However, while there had been a general expression of commitment to the rule of law, few could claim that they had no shortcomings in ensuring adherence thereto.

18. His Government had been striving to ensure implementation of the rule of law, recognizing that it was a means to advance socioeconomic development and promote the protection of human rights at the national level. Good governance, strengthening of democratic institutions and capacity-building of the civil service and civil society organizations were seen as key elements for achieving the country's vision and sustaining rapid and broad-based economic growth.

Strengthening the participation of the public at all levels of governance was also critical in ensuring the transparency and accountability of public administration. In the previous 20 years major progress had been made, but more was needed, and his Government would therefore welcome continued support from the United Nations, particularly in capacity-building. The United Nations should increase its assistance to developing countries in the implementation and promotion of the rule of law, as requested by those countries, while taking into account their national priorities and strategies.

19. **Mr. Pham Quang Hieu** (Viet Nam) said that full implementation of the rule of law at the national and international levels was fundamental to efforts towards a durable peace, peaceful settlement of disputes, effective protection of human rights and sustainable development, including the post-2015 development agenda. The efforts of the international community in implementing the rule of law must be based on principles of sovereign equality of States, peaceful settlement of disputes and respect for territorial integrity.

20. The Association of Southeast Asian Nations would become a rules-based community in 2015. Viet Nam had actively contributed and remained committed to realizing a politically cohesive, economically integrated and socially responsible community, which would help to build a Southeast Asian region of peace, stability and prosperity founded on international law and with common rules and norms. In that regard, his delegation emphasized the importance of full implementation of the Declaration on the Conduct of Parties in the South China Sea and the early conclusion of a code of conduct for the South China Sea.

21. Viet Nam was committed to promoting and implementing the rule of law at the national and international levels in accordance with the fundamental principles of the Charter. It had revised its Constitution with a view to building a law-governed State of, by and for the people, thus contributing to national construction and international integration. It would continue to work with other Member States and relevant actors in the international community to promote the rule of law at the international and national levels.

22. **Mr. Cabactulan** (Philippines), reaffirming his delegation's support for the Declaration of the High-

level Meeting of the General Assembly on the Rule of Law at the National and International Levels (A/RES/67/1), which emphasized the right of equal access to justice for all, said that the Constitution and court rules of the Philippines mandated that no person should be deprived of legal assistance by reason of poverty. The poor were exempt from payment of court fees, and in criminal cases the indigent had the right to defence counsel provided by the State. Lawyers and law students were required to render service to indigent clients through a legal aid programme. A cadre of community-based paralegals handled public interest cases. The *barangay* justice system served as an interface between the formal and informal justice systems. Mediation or arbitration in that system relied mainly on social sanctions for the settlement of minor conflicts.

23. Sharia law and its principles of equity and justice were followed in Muslim Mindanao. The Indigenous Peoples Rights Act of 1997, the first law on ancestral domain in the world, recognized, protected and promoted the rights of indigenous peoples and cultural communities, with due regard for their customary rules in informal justice mechanisms. Creating a protective and nurturing environment for women and children was national policy, and several laws promoted and protected the rights of women and recognized their role as full partners in development and nation-building. The Philippines had ranked fifth in the latest edition of the World Economic Forum's *Global Gender Gap Report*, and women now outperformed men at all levels of education and had equal, if not better, access to justice. Family courts, established in 1997 to protect the rights and promote the welfare and best interests of children, had exclusive original jurisdiction over child and family cases. A system of adjudication for youthful offenders took into account their particular circumstances.

24. Like all developing countries, the Philippines continued to face challenges in relation to access to justice. Its Government was striving to build people's trust in the legal system, harnessing modern technology to disseminate legal information, particularly in the remote parts of the country, and advertising free legal aid for the poor. The judiciary strove to enforce judgements in a fair, just and expeditious manner.

25. At the international level, the Philippines attached great importance to peace, security and the

rule of law. In a recent letter to the Secretary-General (A/69/401) he had outlined his Government's position on the peaceful settlement of the disputes in the South China Sea and put forward a triple action plan. The United Nations Convention on the Law of the Sea was the core instrument for resolving maritime disputes, and States parties to that agreement should clearly define and publicize the limits of their respective maritime zones, so that other States parties would have greater certainty regarding their maritime spaces. The proposed triple action plan included immediate, intermediate and final approaches for addressing the provocative and destabilizing activities in the South China Sea. Those approaches could be pursued simultaneously, without prejudice to territorial claims.

26. Immediately, the plan called for the cessation of specific activities that were escalating tensions, such as the inhabiting of uninhabited features, including massive reclamation, which violated the 2002 Declaration on the Conduct of Parties in the South China Sea. As an intermediate approach, in order to manage tensions until a final resolution was achieved, the plan highlighted the need for the full and effective implementation of the Declaration and the expeditious conclusion of a code of conduct. As a final step, the plan underscored the need for an open, friendly and durable settlement mechanism such as arbitration, in order to achieve a genuine and lasting peace in the South China Sea on the basis of international law.

27. His Government had invited another State party to settle its maritime disputes with the Philippines peacefully and in accordance with the arbitration provisions of the Convention on the Law of the Sea. However, that State had rejected its invitation and continued on a unilateral path of dangerous, reckless and forceful activities in an attempt to impose a unilateral change in the maritime status quo of the South China Sea and advance its position regarding the so-called nine-dash line, an expansive claim of indisputable sovereignty over nearly the entire South China Sea, in total contravention of both the Convention and the Declaration. That State party continued to violate the legitimate rights of the Philippines and other littoral neighbours to their exclusive economic zones and continental shelves, thereby escalating tensions and threatening the peace and stability of the South China Sea.

28. The greatest achievement of the rule of law was the United Nations itself. The Organization had been

created to ensure respect for the sovereign equality of States and to enshrine the rule of law in their conduct and in the peaceful settlement of their disputes. It was an anchor for predictability and stability in national and international development and progress, and for an environment of peace and security. No State, regardless of its size and power, was exempt from the rule of law.

29. **Ms. Millicay** (Argentina) said that the Organization's capacity-building activities were crucial for strengthening the rule of law in many countries, particularly in conflict and post-conflict situations, where priority should be given to strengthening domestic judicial and law enforcement systems. It was also essential to prevent impunity for gross violations of human rights. The Rome Statute of the International Criminal Court, one of the most significant achievements of the international community, played a central role in combating impunity. However, in order to fight impunity effectively, it was necessary to strengthen domestic prosecutorial and judicial systems since, under the principle of complementarity, the Court did not take the place of domestic courts but played a subsidiary role. The international community had also made significant progress in the development of norms and standards relating to the right to truth, justice and reparation and guarantees of non-recurrence in cases of gross violation of human rights and international humanitarian law. In that context, her delegation welcomed the appointment of a Special Rapporteur on the matter in 2011.

30. Access to justice was the guarantee of respect for human rights, which went hand in hand with the rule of law. It was noteworthy that goal 16 proposed by the Open Working Group of the General Assembly on Sustainable Development Goals sought to provide access to justice for all. While her delegation was pleased that access to justice had been included in the proposed goal, it would have preferred a more ambitious goal that encompassed all human rights.

31. As her delegation had noted previously, strengthening of democratic institutions was a requirement for promoting the rule of law. In that regard, it was important to highlight the role that regional integration mechanisms had played in promoting the rule of law in Latin America. Argentina reaffirmed its strong commitment to the rule of law, constitutional order, the preservation of democratic institutions, social peace and full respect for human rights.



32. With regard to the peaceful settlement of international disputes, the International Court of Justice played a central role. It was essential for parties to a dispute to comply in good faith with the decisions of the Court and to refrain from taking unilateral action that could exacerbate the dispute. In addition to the Court, there were various specialized courts, such as the International Tribunal for the Law of the Sea, whose jurisdiction Argentina had accepted. Other methods of international dispute settlement were also provided for in the Charter and mentioned in the Declaration of the High-Level Meeting of the General Assembly on the Rule of Law at the National and International Levels (A/RES/67/1). For example, the Secretary-General might be requested to exercise his good offices. However, in order for a good offices mission or any other means of peaceful solution to succeed, the parties concerned must fulfil the obligations incumbent upon them in such procedures. When called upon by United Nations organs, including the General Assembly, to negotiate, they should do so in good faith, and third parties should refrain from conduct that might hinder a peaceful solution.

33. **Mr. Sylla** (Senegal) said that the rule of law was a *sine qua non* for a just and peaceful world and the only means of securing harmonious and sustainable development. It was also the basis for the emergence of democracy, the consolidation of good governance and respect for human rights. Ever since Senegal had become a sovereign nation, it had exerted the utmost efforts to establish a State governed by the rule of law, with respect for human rights and individual and collective freedoms. Dialogue and consensus-building were cardinal values firmly rooted in Senegalese society, as were a free and independent press and an active civil society; moreover, good governance and transparency were values enshrined in the Constitution. New institutions had been set up to combat corruption and misappropriation of public funds and promote good governance, including a national commission for the recovery and restitution of illegally acquired assets. Recognizing that realization of the rule of law required access to justice and an independent judiciary, Senegal, in addition to enshrining the principle of separation of powers, had established a local justice programme. Legal aid centres provided information on people's rights and duties and initiated actions aimed at preventing crime and promoting the peaceful settlement of disputes.

34. In order to strengthen the rule of law at the national and international levels, it was important to share best practices, while also bearing in mind the need to respect the distinctive characteristics resulting from countries' political and institutional development. Threats to international peace and security arose in situations in which justice was denied and basic human rights and human dignity were violated. States had a shared responsibility to act to strengthen the foundations of a peaceful, inclusive society in which the rule of law and justice ensured full enjoyment of fundamental freedoms.

35. **Mr. Atlassi** (Morocco) said that the progress made towards universal ratification of various conventions, treaties and protocols demonstrated the Member States' commitment to strengthening the rule of law at the international level. His delegation particularly welcomed the addition of new parties to the international counter-terrorism instruments and to the United Nations Convention against Transnational Organized Crime, which reflected growing awareness that transnational crime and the scourge of terrorism undermined national, regional and international efforts to strengthen the rule of law. Terrorist and separatist movements and organized crime networks were major challenges in many parts of the world, but especially in Africa, where such threats had grown exponentially in recent years, jeopardizing the stability and territorial integrity of some States. Morocco was a party to a number of treaties and conventions and had begun the process of ratifying others, including the Minamata Convention on Mercury. It had also been one of the first signatories to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

36. Morocco remained firmly committed to promoting the rule of law, both nationally and internationally. His delegation believed that the United Nations, as a legitimate and representative organization, provided a sound structure for collective efforts to achieve an international society based on equality, legality, peace, security, sustainable development and respect for human rights. His delegation was also committed to a form of multilateralism that was respectful of the rules and principles of international law, including peaceful settlement of disputes, sovereignty and territorial integrity of States and non-interference in their internal affairs, principles which had been reaffirmed in the

Declaration of the High-Level Meeting on the Rule of Law at the National and International Levels, which provided a frame of reference for strengthening the rule of law.

37. In order to build an international society based on the rule of law, it was essential to establish transparent, legitimate and credible democratic institutions at the national level that were able to meet the needs of the population in all aspects of daily life, that adhered to the principles of accessible, efficient and equitable justice and that protected individuals and enabled them to effectively exercise their political, economic, social and cultural rights. Strengthening the rule of law at the national level was a cumulative process, which had accelerated in Morocco in the previous decade.

38. Since gaining its independence, Morocco had sought to improve the performance of its institutions and strengthen the rule of law in all its aspects in order to improve the day-to-day lives of citizens within an inclusive and participatory approach. The country's new Constitution, adopted by referendum in July 2011, underlined the importance of respect for human rights, expanded civil liberties and recognized cultural diversity. It also acknowledged Morocco's international commitments and called for the strengthening of cooperation at the regional level across Africa and the subregional level within the Maghreb Union.

39. Other noteworthy accomplishments included the establishment of an ombudsman's office; reform of the family code with a view to improving the situation of women; adoption of a new approach to the management of immigration and regularization of the situation of immigrants from sub-Saharan Africa; establishment of an equity and reconciliation commission to investigate human rights violations and a high court to try Government officials for crimes committed in the performance of their duties; and judicial reform aimed at ensuring access to justice on an equal footing for all citizens.

40. **Mr. Joyini** (South Africa) said that South Africa attached high priority to promoting access to justice as a means of enhancing the rule of law. As an original sponsor of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, South Africa had been a leading voice on the need to improve access to counsel for indigent and marginalized accused persons. An effective legal aid

scheme that provided access to quality defence counsel was an integral part of guaranteeing access to justice, including the right to a fair trial, and protecting society's most vulnerable members from illegal, extended or arbitrary pre-trial detention, torture, corruption, coerced confessions, wrongful convictions and other abuses. States must provide legal aid to the poor and vulnerable.

41. The International Conference on Access to Legal Aid in Criminal Justice Systems, held in Johannesburg in June 2014, had been the first large-scale conference aimed at addressing challenges in implementing the right to legal aid for the criminally accused. Participants from some 70 countries had discussed their experiences in providing access to effective legal aid services and proposed practical and achievable solutions, with a particular focus on the need to develop more effective and sustainable strategies to meet the needs of the poor. The outcome document, the Johannesburg Declaration, affirmed that legal aid was an essential element of a fair, humane and efficient justice system based on the rule of law and called for support for the application of existing international standards and best practices. Action points included a decision to engage in international forums to advocate for equal access to legal aid and a call to establish international and regional cooperation mechanisms.

42. Access to justice and the rule of law at the national and international levels had also figured prominently in the ongoing discussions on the post-2015 development agenda, notably in proposed sustainable development goal 16, and were a central element in the preparations for the thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha in April 2015. The rule of law and development were inextricably linked. The rule of law should help to improve the situation of the disadvantaged in society through the provision of essential services and the fulfilment of socioeconomic rights.

43. While efforts to enhance the rule of law were needed at the national level, they were equally important at the international level. The international community must also be governed by a system in which all were accountable under international law, which should be equally enforced and independently adjudicated. International norms must be shaped through a democratic, representative and legitimate system and process. While differences in the judicial



systems of Member States might make a uniform understanding of the rule of law difficult, the right to free legal assistance for criminal defendants unable to afford a lawyer was a widely accepted principle of law and an essential component of the right to a fair trial. All countries faced challenges in implementing the right to legal aid and had much to learn from each other. Only by working together could meaningful access to justice be assured for the poor and vulnerable.

44. **Mr. Antonio de Aguiar Patriota** (Brazil) said that access to justice was at the centre of the processes launched at the Rio+20 Conference. His delegation welcomed the report of the Open Working Group on Sustainable Development Goals (A/68/970), which must be the basis for integrating sustainable development goals in the post-2015 development agenda. The proposal contained in that report should not be reopened or renegotiated. Proposed goal 16, which related to the rule of law, represented a delicate compromise and would make it possible to move forward with a focus on one of the fundamental dimensions of the rule of law: access to justice. Such an approach was directly relevant to the social, economic and environmental challenges that the negotiations had sought to address.

45. Access to justice was a concept particularly well suited to a rights-based, socially inclusive set of goals and targets. Some countries had favoured a different approach to the topic of the rule of law in the post-2015 development agenda, but that approach would, in his delegation's view, run counter to the spirit of the Rio+20 Conference, which had focused on integrating social inclusion and sustainable development, not on the rule of law from a peace and security perspective. The latter was no doubt a valid topic, but was one that should be addressed elsewhere, particularly in the Security Council and the Peacebuilding Commission. Any attempt to modify the delicate agreement of the Open Working Group, captured in General Assembly resolution 68/309, would risk unravelling the ground-breaking outcome achieved thus far.

46. Brazil was an unwavering supporter of the rule of law and was firmly convinced that at the national level socially-oriented approaches, such as the promotion of access to justice, were much more conducive to inclusive societies than security-oriented approaches focused on coercive measures and law enforcement. The rule of law was a tool for States to protect rights

and promote equal access to justice for all citizens, regardless of origin, ethnicity, race, sex, creed or political affiliation. There was no one-size-fits-all solution for promoting equality before the law, legal empowerment of the poor, citizenship and social inclusion. Each country had to find an approach suited to its own circumstances, history and challenges. National ownership was essential so that developing countries could strengthen their national institutional capacities to address their unique needs in pursuit of sustainable development.

47. Providing access to justice and legal empowerment was crucial for tackling the root causes of poverty, exclusion and vulnerability, and no effort should be spared to remove any obstacles that impeded or hindered persons living in poverty from having access to legal procedures, mediation and remedies. In that connection, it would be fruitful to revisit the 2012 report of the Special Rapporteur on extreme poverty and human rights (A/67/278), which analysed the legal and extralegal obstacles to access to justice for persons living in poverty. Eliminating those hurdles was a challenge faced by both developing and developed countries.

48. States should be encouraged to provide free and effective legal aid to vulnerable populations. Without such assistance, they would be unable to exercise their rights and might also remain unaware of their entitlements and of the State's obligations towards them. It was also crucial to enhance the response capacity of the national judicial system by, among other measures, allocating adequate financial and human resources and minimizing fees and costs for persons seeking judicial remedies. To meet those challenges, his Government had developed innovative tools, including alternative dispute resolution methods that provided access to justice through extrajudicial means. It had also adopted legislation and implemented policies to foster recourse to mediation and conciliation, which were swifter and less expensive ways of settling disputes and led to higher rates of acceptance and compliance because they were based on engagement by the parties.

49. In 2012, the General Assembly had recognized that the rule of law was both a contributor to and an outcome of development. The fulfilment of official development assistance commitments was of critical importance in that regard. Unfortunately, however, the gap between aid effectively disbursed and official

financing announced by donors amounted to billions of dollars. Meanwhile, billions were flowing to military budgets and the development of weapons.

50. His delegation was concerned that the discussions on the rule of law had been unbalanced, with too little emphasis on implementation at the international level. No State was above the law, and claims of exceptionalism were unacceptable and damaging to the multilateral system. No State, no matter how powerful, was exempt from compliance with its obligations or beyond reproach for circumventing international law in the assertion of its national interests. Reform of the Security Council in order to make it more representative and effective would provide improved conditions for the promotion of an order based on respect for international law.

51. While the topic of the rule of law had been gaining increasing prominence in the Organization, paradoxically the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law remained chronically underfunded. That situation must be rectified. The Programme promoted education in international law, which fostered the rule of law and was the cornerstone of peace.

52. **Mr. Katota** (Zambia) said that his delegation was pleased to note in the Secretary-General's report (A/69/181) that the United Nations was providing constitutional support to more than 15 countries. Since its inception in 1954, the Organization had been influential in supporting the rule of law around the world. It had helped to create a forum in which the universal standards for a basic functioning legal system had been articulated. While some developing countries had adopted laws emanating from the colonial period, most of the resultant justice systems were in harmony with general tenets of the rule of law, including the non-discriminatory character of law, the right to a fair hearing, the requirement that in the application of penal rules there must not be any derogation of offenders' basic human dignity, and the prohibition of the use of torture as a means of extracting a confession, which was a principle that now enjoyed universal acceptance.

53. His Government strongly supported adherence to the rule of law at both the national and international levels. At the national level, it had implemented an access to justice programme under which legal aid

offices had been set up in all provincial centres to provide legal assistance to the underprivileged. The programme also ensured that accused persons' rights to a fair trial and adequate representation were upheld. The recent establishment of a small claims court promoted the rule of law by providing an avenue for quick dispensation of justice and redress, as claimants could pursue their claims in person without legal representation. Legislation aimed at combating domestic violence and promoting observance of human rights had been enacted in 2011, and several oversight institutions had been established, including human rights and anti-corruption commissions and judicial and police complaints authorities. Those institutions ensured the accountability of public, judicial and law enforcement officers and promoted fairness in the application of the law.

54. At the international level, Zambia had continued to participate in promoting the rule of law by contributing troops and other personnel in conflict and post-conflict situations around the world. It pledged to continue rendering assistance to the United Nations with a view to creating a just, fair, secure and peaceful world based on the principle of the rule of law.

55. His delegation wished to underscore the need for reform of the United Nations, particularly the Security Council, a pillar of international peace and security, which hinged on international law. As the Organization sought to strengthen the rule of law at the international level, its governing structures must give equal comfort to all of its Members.

56. *Ms. Millicay (Argentina), Vice-Chair, took the chair.*

57. **Mr. Niyazaliev** (Kyrgyzstan) said that his Government's national strategy for sustainable development provided for the formation of a State governed by the rule of law, including awareness of legal issues among law enforcement officials and citizens. Legislation had been introduced to uphold the independence of the courts and reform criminal law and juvenile justice. A coordinating council on human rights with extensive powers, comprising the heads of all relevant Government agencies, had been established. The national parliament was taking on an increasingly prominent role in that regard; in addition to adopting legislation, it now oversaw implementation of international instruments and worked closely with non-governmental organizations to promote human

rights. His delegation believed that the post-2015 development agenda should incorporate the rule of law and reflect the importance of parliaments and inter-parliamentary cooperation.

58. Kyrgyzstan attached great importance to the role of the Human Rights Council and had submitted its candidacy for the term 2016-2018. It urged the international community to strengthen the role of the International Court of Justice and ensure that adequate resources were available to support relevant institutions and mechanisms in developing countries.

59. **Mr. Sinhaseni** (Thailand) said that, on 15 November 2013, his country had hosted an event entitled “Bangkok Dialogue on the Rule of Law”, at which world leaders and experts had discussed ways in which fair and equitable justice systems could help promote sustainable development. For the past two years, his country had submitted to the Commission on Crime Prevention and Criminal Justice draft resolutions entitled “Rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015”.

60. States bore primary responsibility for tackling the denial of justice owing to exclusion or discrimination. In his own country, efforts had been made to disseminate information on the right to seek compensation for injury or arrest. Clear guidelines for the submission of complaints and application for remedy were available in every provincial justice office. A centre to provide such remedies had been established, and the law on compensation and expenses was being reviewed and expanded. An independent commission on the rule of law ensured that all State entities fulfilled their duties without discrimination.

61. Women and children faced particular challenges in accessing justice systems. His Government had been instrumental in the formulation of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) set forth in General Assembly resolution 65/229. Along with the delegation of Austria, his delegation had submitted to the Commission on Crime Prevention and Criminal Justice a draft resolution entitled “United Nations model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice”, which had been adopted by the Commission and would be submitted to

the General Assembly at its current session. It was hoped that the model strategies would protect children who came into contact with the justice system as victims, witnesses or suspects.

62. Thailand had ratified the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. It had also signed the Protocol against the Smuggling of Migrants by Land, Sea and Air, which it hoped to ratify in the near future.

63. **Mr. Kogda** (Burkina Faso) said that his country had put in place a set of institutions aimed at upholding the rule of law. That framework was underpinned by a legal system that upheld fundamental freedoms and encouraged accession to international and regional human rights instruments. In 2006, Burkina Faso had embarked on a process of comprehensive decentralization, which would allow local populations to shape their own economic and social development. The Government and its technical and financial partners were working to build capacities and support local initiatives.

64. A national policy on justice had been launched in order to strengthen the independence of the judiciary. Awareness-raising days were regularly organized, and press conferences on sensitive issues were held. Information on basic legal issues was made available to the public, and a fund had been set up to provide legal assistance for low-income persons. Funding was also available for public defenders. Civil society organizations maintained centres for legal aid advice. The country’s internal security strategy included provisions to ensure a balance between public order and the exercise of fundamental freedoms. The Ministry of Human Rights ran regular training courses for members of the defence and security forces.

65. **Mr. Logar** (Slovenia) said that the prevention of mass atrocities and the fight against impunity clearly merited special attention; it was the shared responsibility of the international community to implement all three pillars of the responsibility to protect. The peaceful settlement of disputes remained key to avoiding situations that could lead to the commission of such crimes. He hoped that tangible steps would be taken at the current session of the General Assembly to implement the Rights up Front Action Plan. It was also important to make better use

of the means of dispute settlement set out in Chapter VI of the Charter. The Security Council could do more to resort to the International Criminal Court with a view to preventing or responding to atrocity crimes. Slovenia therefore supported the initiative aimed at preventing the five permanent members of the Security Council from using their veto in cases of atrocity crimes. His delegation was also pleased that the President of the Security Council for October 2014 had decided to include in the open debate on working methods of the Security Council a discussion of the follow-up mechanism for Security Council referrals to the International Criminal Court.

66. The International Criminal Court played an essential role in consolidating the rule of law. However, primary responsibility for prosecuting international crimes remained with States; the Court stepped in only when States were unable or unwilling to prosecute perpetrators of the most heinous crimes. There was also a need to strengthen the international legal framework for judicial assistance between States, including extradition. In that regard, the Governments of Argentina, Belgium, the Netherlands, Senegal and Slovenia were working towards the formulation of a new multilateral treaty for mutual legal assistance and extradition for domestic prosecution of the most serious international crimes.

67. Slovenia was a contact point for the Group of Eastern European States for the ratification of the Kampala amendments to the Rome Statute of the International Criminal Court on the crime of aggression. In that capacity, it had organized a regional seminar on the topic in 2014 in cooperation with Liechtenstein. The international community should strive to ensure universal accession to the Rome Statute, including the Kampala amendments.

68. **Mr. Elias-Fatile** (Nigeria) said that the topic had wide-ranging implications for every aspect of the United Nations' work, including peacekeeping, security sector reform in post-conflict situations and the development agenda beyond 2015. The concept of the rule of law was connected with such recognized principles as respect for the sovereignty, integrity and independence of States; peaceful settlement of disputes; the right of peoples under occupation to attain self-determination; and the right to development. It was also a fundamental component of the Charter of the United Nations, the Constitutive Act of the African

Union, the protocols of the Economic Community of West African States and the Constitution of Nigeria.

69. Nigeria had incorporated relevant international instruments into its legislation. It had implemented recommended practices by adopting legislation on open government, counter-terrorism and combating money-laundering. The Constitution provided for a strong, unbiased and independent judiciary whose decisions would be enforced in any part of the country by all authorities and persons. In order to ensure the financial independence of the judiciary, funds were paid directly to the National Judicial Council, which in turn disbursed them to the courts. The justice system was known for its objectivity and lack of bias, and its decisions against the Government were routinely enforced. A range of anti-corruption mechanisms was in place.

70. Nigeria had consistently pursued a foreign policy grounded in the promotion of global peace and security. It had supported peacekeeping operations and had complied with the rulings of international courts, such as the International Court of Justice judgment in the *Case concerning the land and maritime boundary between Cameroon and Nigeria*. His Government appreciated the United Nations' efforts to promote the rule of law and transitional justice and, in particular, the Rights Up Front Action Plan.

71. **Mr. Townley** (United States of America) said any modalities to address the topic must take into account the broad range of legitimate stakeholders, including United Nations entities and such civil society actors as national bar associations, businesses and academics. It was also important to seek tangible, step-by-step progress at the various forums in which the topic was being discussed, whether formally or informally. His Government therefore welcomed the issuance on 7 August 2014 of a verdict in *Case 002/1* of the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia, which marked an important step forward in securing justice and accountability for the people of Cambodia. The United Nations must continue to support the Extraordinary Chambers as they began the second phase of *Case 002*.

72. His delegation was pleased that the report of the Open Working Group of the General Assembly on Sustainable Development Goals (A/68/970), in paragraph 12, stated that good governance and the rule of law at the national and international levels were

essential for sustained, inclusive and equitable economic growth, sustainable development and the eradication of poverty and hunger. It was also critical to highlight the importance of access to justice without discrimination. Member States from every region had recognized the importance of the issue, and his delegation hoped that it would take a prominent place in the post-2015 development agenda.

73. His Government had made progress in implementing the pledges made at the 2012 high-level meeting on the rule of law. The Violence against Women Act had been expanded to make Native American communities safer and protect victims from discrimination based on sexual orientation or gender identity, and to provide better tools to investigate rape and increase access to housing for women escaping violence. The President had launched new initiatives to reduce teen dating violence and combat sexual assault on college campuses.

74. His Government was proud to have supported the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems and the International Conference on Access to Legal Aid in Criminal Justice Systems held in Johannesburg, South Africa, from 24 to 26 June 2014. In his country, the Legal Services Corporation Act provided for funding for legal aid for the most vulnerable people. Legal aid could advance the collective pursuit of equal justice for all, and should go beyond the criminal justice system. Civil legal aid could promote access to health and housing, education, employment, family stability and community well-being. It could secure benefits for veterans, help prevent elder abuse and domestic violence, keep children in school and remove barriers to employment for people with criminal records.

75. Legal aid for victims of domestic violence was particularly important. The World Health Organization had estimated that 35 per cent of women had experienced either intimate partner violence or non-partner sexual violence; in the United States, that figure was nearly one in four. In addition to being intrinsically intolerable, that situation had considerable health and economic repercussions. In the United States, the Violence against Women Act provided funding for civil legal aid to victims. In so doing, it helped to prevent future violence, secure child custody orders and respond to identity theft and other financial exploitation.

76. **Mr. Meza-Cuadra** (Peru) said that the exercise of rights and freedoms in a democratic system required a legal and institutional order in which leaders as well as ordinary citizens were subject to the rule of law and there was effective judicial control of the constitutionality and lawfulness of the acts of public authorities. It thereby became possible for complaints to be properly channelled through judicial mechanisms and for human rights violations to be investigated, their perpetrators punished and compensation received through due process for all persons without distinction.

77. Peru had made major advances in that respect by fostering access to justice for all, including vulnerable groups, on a fair, transparent, non-discriminatory and responsible basis. The public defence service, for example, aimed at low-income and vulnerable groups, guaranteed the right to truth and justice of the families of victims of human rights violations. Other mechanisms included conciliation and various alternative means of dispute resolution. A large number of private conciliation centres existed in Peru, some free of charge. In addition to other grassroots facilities, the Office of the Ombudsman provided litigants with legal guidance and support in cases of complaints of official misconduct, while “Justice Centres” (“*Casas de Justicia*”) handled cases of violence against women and children, using a multisectoral approach.

78. His Government was convinced that the rule of law and development were interrelated and that the advance of the rule of law at the national and international levels was essential for sustained and inclusive economic growth, the eradication of poverty and hunger and the full enjoyment of all human rights and fundamental freedoms. Peru was therefore grateful for the assistance of the United Nations in support of its justice system and legislative reform and, in particular, for the human rights study and training programmes offered to the members of its judiciary, who had a crucial part to play in ensuring access to justice and due process. His delegation welcomed the outcome document of the Open Working Group on Sustainable Development Goals, which should serve as a basis for incorporating those goals into the post-2015 development agenda.

79. **Mr. Auväärt** (Estonia) expressed appreciation for the concrete steps taken by the United Nations to promote the rule of law at the national and international levels, particularly through the assistance it provided to conflict and post-conflict States in more

effectively ensuring access to justice for all. His delegation welcomed the subtopic “Sharing States’ national practices in strengthening the rule of law through access to justice”, as such sharing could be a valuable source of inspiration for developed and developing countries alike. The rule of law was a core principle of governance that ensured justice while holding all persons, including the State itself, accountable to laws that were equally enforced and independently adjudicated. Observance of the rule of law at the domestic level promoted adherence to the principle in a country’s interactions with other countries. At the international level, it lent predictability and legitimacy to the actions of States, forming a fundamental framework for the conduct of their relations.

80. Respect for the rule of law at the national and international levels was a precondition for the fulfilment of the fundamental values of peace and security, development and human rights enshrined in the Charter of the United Nations. Those values could not be achieved without the promotion of the rule of law, which depended in turn on those values. The rule of law provided the foundation for effective conflict prevention and peacekeeping, conflict resolution and peacebuilding; it fostered public trust in national government institutions and thereby helped to ensure a safe environment; at the same time, strong and consistent rule-of-law institutions lessened the risk of further conflict.

81. Strong adherence to the rule of law was conducive to sustainable development, best guaranteed by good governance, transparent decision-making and low corruption. Modern digital technology offered valuable assistance in building the effective and accountable institutions required for sustainable development. Estonia, for its part, had accordingly developed an e-governance system which it was willing to share with other countries.

82. The post-2015 development agenda should focus on the rule of law, justice, equality and equity, good governance and democracy. The rule of law was a means of enhancing access to justice and thereby promoting accountability over impunity. His Government firmly supported the International Criminal Court and its efforts to fight impunity and called on countries that had not yet done so to accede to the Rome Statute; it likewise urged States Parties to ratify the Kampala amendments to the Statute.

Countries, whether or not they had joined the Statute, should set an example of non-aggression, self-restraint and respect for the rule of law.

83. There had to be a balance between the rule of law at the national and international levels: accountability must first be ensured at the domestic level. It was therefore essential that States should build their national capacity to investigate and prosecute serious international crimes, including a comprehensive legislative framework for that purpose, incorporate crimes under the Rome Statute into their domestic criminal codes and put in place robust witness protection programmes. The rule of law was the cornerstone of progress and the only viable means of achieving a truly better world.

84. **Ms. Zeytinoglu Özkan** (Turkey) said that international peace and stability depended on the compliance of States with generally accepted rules and principles, particularly those embodied in the Charter of the United Nations and multilateral treaties and international law in general. Not only peace and security, but also development and human rights, were closely linked with the rule of law, which was an essential tool for peaceful international relations and at the basis of any peaceful, stable and prosperous society. Respect for the rule of law at the international level was closely linked with its observance at the national level.

85. Her delegation appreciated the important role played by United Nations organs and specialized agencies in advancing the rule of law as well as the related efforts of the International Development Law Organization. The rule of law went hand in hand with the interlinked and mutually reinforcing principles of human rights, democratic values, justice and international law and should be an intrinsic part of the post-2015 development agenda. Human rights and the rule of law could help advance inclusive economic growth, reduce inequalities and build well-functioning, accountable and transparent institutions. The rule of law, peace and good governance created the necessary environment for development to be sustainable.

86. In Turkey, structural reforms in respect of the rule of law and good governance had thus created an enabling environment that had paved the way for increased foreign direct investment and sustained economic growth. At the national level, an independent judiciary enforcing laws based on the principle of

equality before the law was important in building the trust of citizens in the administration of justice, which was a key to the development of a stable, prosperous society. Access to justice, the subtopic of the current deliberations, was an important pillar for strengthening the rule of law. Comprehensive reforms of the Turkish judiciary initiated at the turn of the century had strengthened its independence, impartiality and effectiveness and lightened its workload so that it could better guarantee fundamental rights and freedoms. Turkey stood ready to exchange best practices in the field of access to justice or, more broadly, the rule of law with any interested country.

87. **Mr. Sein** (Myanmar) said that his Government had enacted a number of laws in order to better serve the interests of the Myanmar people and that many existing domestic laws were under review in Parliament for amendment to bring them into line with the multi-party democratic system. A law against money-laundering had recently been enacted; an anti-terrorism law had come into force; and an Anti-Corruption Commission had been put in place following enactment of an anti-corruption law. A further major development, reflecting his Government's strong commitment to strengthening the rule of law, was the establishment of the Rule of Law and Stability Committee by the lower house of Parliament.

88. Capacity-building programmes and technical assistance provided by United Nations bodies and external partners were playing an essential role in improving the rule of law at the domestic level by addressing the need to bring national laws into line with international law and applicable international legal instruments. His delegation wished to express its particular appreciation of the action of the Rule of Law Coordination and Resource Group. Useful training was also being provided by development partners, particularly the European Union, for law enforcement officials and it was hoped that the possibility of further cooperation in that regard could be explored with the relevant institutions and countries.

89. Myanmar recognized that the rule of law and human rights were mutually reinforcing and contributed in various ways to the development of the country and its population; his Government was accordingly engaging with a number of countries and organizations through "human rights dialogue" mechanisms. Just recently, it had reconstituted the

Myanmar National Human Rights Commission, to which individual complaints of human rights violations could be submitted.

90. Regional frameworks could also play an important role in promoting the rule of law at the international level. The rule of law provisions of the Charter of the Association of Southeast Asian Nations were of high value in that context. Moreover, Myanmar had recently become a party to a number of important international instruments, including the Model Protocol Additional to the Agreement between States and the International Atomic Energy Agency for the Application of Safeguards, the United Nations Convention against Corruption and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and had initiated the process of ratification of the Biological Weapons Convention.

91. **Mr. Belaid** (Algeria) said that the rule of law at the international level was equally applicable to all States and to international organizations, including the United Nations and its principal organs. The primary role of the General Assembly in the promotion of the rule of law in all its aspects was paramount and should be strengthened. Accordingly, the revitalization of the work of the General Assembly and the whole process of United Nations reform should be aimed first and foremost at promoting the rule of law at the international level; one of the main targets should be the establishment of a harmonious and more balanced relationship between the principal organs of United Nations, particularly the General Assembly and the Security Council. His delegation reiterated its call for a comprehensive reform of the Security Council, including its expansion in both categories of membership, and the correction of the historical injustice suffered by the African continent.

92. The sovereign equality of States was also an important element in the promotion of the rule of law at the international level: any selectivity in that regard was a clear violation of the principles and spirit of the Charter of the United Nations. The inalienable right to self-determination of peoples under colonial domination and foreign occupation must be respected and applied without any selectivity.

93. Algeria had made considerable efforts to strengthen the rule of law at all levels, in particular by bringing its national legal system into line with international standards. It had become a party to all the



major international treaties and gone on to integrate their provisions into its legal system. In recent years, it had made tremendous efforts to strengthen democracy, ensure access to justice, advance human rights, build a strong economic base and address the legitimate aspirations of the Algerian people. In the Arab and Muslim world, it had the highest number of women in the National Assembly, in the Government and in the army. In the increasingly volatile Maghreb-Sahel region, Algeria cooperated with all its neighbours in combating terrorism, restoring peace and security within their borders, preserving their national unity and territorial integrity and creating the necessary conditions for development in the region.

94. **Mr. Balde** (Guinea) said that his delegation recognized the special role played by the Committee in analysing facts and formulating proposals aimed at strengthening the rule of law on the basis of peace and security both within nations and at the international level. In his country, institutional measures had been taken to promote the rule of law. Following the proclamation of the year 2013 as the “Year of Justice” in Guinea, a high council of the judiciary had been set up to ensure the maintenance of professional standards among judges; judges had been given a special status, including better living conditions, in order to discourage corruption and guarantee their independence; and the courthouses destroyed in the wake of the events in 2006 had been rebuilt or restored. In the defence and security sector, special courses were being given on law enforcement that included all aspects of international humanitarian and human rights law. The capacity of the armed forces to maintain peace and security, not only in the country but also throughout the world, had thereby been enhanced. The United Nations Peacekeeping Commission, together with the European Union and other institutions, had provided valuable support for those efforts.

95. The rule of law also required action to end impunity. Investigations into the massacres and rapes perpetrated on 28 September 2009 by the security forces of the military junta then in power were near completion; charges were about to be brought and the accused persons would be given a fair public hearing.

96. The rule of law was one of the shared values of the world; it was an ongoing process entailing the acceptance and implementation at the national level of all international legal instruments. Guinea was a party

to the great majority of those instruments and had set up a ministry of human rights to monitor their implementation. His delegation reiterated its attachment to the principle of respect for the sovereignty, equality and territorial integrity of all States and called for measures to strengthen and further mobilize mechanisms for dealing with serious human rights violations and breaches of international humanitarian law.

97. **Ms. Shahula** (Maldives) said that the 2008 Constitution of Maldives was the culmination of eight decades of democratic engagement and created a nexus between the country’s long held traditions and the universal values of democratic governance. It provided for separation of powers, independent institutions and horizontal accountability under the guiding light of the rule of law. However, it took time to cultivate a system based on the non-arbitrary application of rules, and further democratic consolidation was necessary. Even the recent, multi-party presidential elections, with very high voter turnout rates and peaceful voting, were only markers along the nation’s democratic trajectory. Democracy must be instilled in people’s hearts and minds; it must transform people’s way of thinking and change the normative framework of society. In Maldives, democratic responsibility went hand in hand with fundamental human rights, thereby promoting socioeconomic development through the creation of a stable environment and climate of trust among public and private actors.

98. The rule of law not only sustained peace and security, it also had implications for sustainable development and human rights. Her Government had put in place a number of laws and policies to ensure basic social protection for the most needy, while the Constitution guaranteed that no one could suffer discrimination on grounds of gender, race, disability or income level. Recent legislation thus extended protection and assistance to victims of sexual and domestic violence, persons with disabilities, older persons and victims of human trafficking and child abuse. Maldives, which was a party to seven of the nine key international human rights instruments as well as many other relevant international conventions, thereby honoured its multilateral commitments. Without the necessary legislative framework to protect the most vulnerable, there could be no sustainable, far-reaching development.

99. Democratization was achieved through a partnership between the State and the governed. While the governed had democratic responsibilities, the State must ensure transparency: internal oversight, together with external accountability, was a pillar of the rule of law. Such initiatives as the internal review and oversight of the Maldives police service, supplemented by the work of the independent Police Integrity Commission, reflected her Government's commitment to that ideal. Her delegation called on the global community to match words with action and to ensure that the rule of law was meaningfully integrated into the post-2015 development agenda.

*The meeting rose at 1 p.m.*