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Chair: Mr. Danon..... (Israel)

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The meeting was called to order at 10.35 a.m.

Agenda item 84: The rule of law at the national and international levels (*continued*) (A/71/169)

1. **Mr. Habib** (Indonesia) said that access to justice was an essential element of democracy, and that the rule of law was indispensable in maintaining social cohesion and stability in multi-ethnic and multi-faith countries such as his own. Indonesia had enacted a number of legal instruments to guarantee access to justice for its citizens. An ombudsman commission established in 2000 to facilitate complaints against State institutions and companies involved in public service had proved to be an effective avenue for facilitating the public's access to justice. Since its creation in 2003, the Constitutional Court had been the preferred venue for people to contest legislation if they felt that it contravened the Constitution or infringed their constitutional rights, and there had been a steady increase of cases brought by citizens to the Court.

2. One determining factor for the effective implementation of international law at the domestic level was capacity-building and technical assistance, particularly for developing countries. Through technical assistance facilitated by the secretariat of the United Nations Convention against Corruption, Indonesia had conducted numerous capacity-building activities, including the training of judges to handle asset recovery cases and of legal officials to draft mutual legal assistance requests.

3. At the international level, the rule of law was being sorely tested. Sixty million people had been displaced due to armed conflicts and there was a plethora of violence, terrorism, dire socio-economic conditions and humanitarian disasters. The year 2017 would mark Palestine's fiftieth anniversary under Israeli occupation, with no end in sight and mounting frustration for the Palestinian people.

4. The United Nations system, with all its legal tools, was being overstretched. All of the major organs and specialized bodies of the United Nations must function, and be seen to function, according to the highest standards of justice and fairness. The long awaited reform of the Security Council and the revitalization of the General Assembly were critical elements in that regard. All States, regardless of size, power and circumstances, were subject to the primacy

of law and must fully commit themselves to an international order grounded in international law.

5. **Mr. Medina Mejías** (Bolivarian Republic of Venezuela) said that his delegation unreservedly supported the sovereign equality of States, including sovereign immunity from jurisdiction; the inalienable right to self-determination; territorial integrity; States' right to use, exploit and administer their natural resources and to choose their own political and economic system; the peaceful settlement of disputes; abstention from the use of force; and non-interference in the internal affairs of States. Those were the fundamental principles on which a fair and equitable international order was based, in which the rule of law, peace and solidarity among peoples prevailed.

6. Unmitigated respect for the rule of law at the international level was fundamental to peace. Multilateral and bilateral treaties in which States freely chose the means for solving their disputes were among the primary sources of international law. The principle of free choice by States of the dispute settlement machinery set out in Article 33 of the Charter of the United Nations and the Organization's duty to exercise its capacity for conflict prevention were of particular importance. However, the current functioning of the Organization often prevented its work from being truly reflected in the rule of law in the international community. Without the existence of a democratic system within the Organization, specifically with regard to decision-making in the Security Council, the consolidation of an international system in which the rule of law prevailed would remain a utopian dream.

7. The excessive politicization of the Security Council and repeated invocation of Chapter VII of the Charter on issues of interest to some States stood in flagrant contradiction to the rule of law, resulting in violations of State sovereignty and in military occupation. It was important to conduct an exhaustive analysis of the regulatory framework of the Security Council sanctions committees, bearing in mind that they should serve solely as an accompaniment to political processes aimed at settling conflicts. The remit of the Ombudsperson should be extended to all the sanctions committees in order to ensure respect for the rule of law and strengthen due process in the implementation of sanctions regimes.

8. His delegation paid special tribute to the work of the Sixth Committee in promoting international law, that of the International Law Commission in codifying legal norms, and that of the Treaty Section of the Office of Legal Affairs in updating and promoting multilateral treaties.

9. **Mr. Mounsaveng** (Lao People's Democratic Republic) said that the rule of law was a fundamental principle for the advancement of peace and security, development and human rights in individual States and at the international level. His country was a party to more than 900 international conventions and treaties. The treaties it had ratified were transposed into national laws and regulations and were implemented in good faith. The adoption of the national Constitution in 1991 and its subsequent amendment had been the turning point in the country's governance, transforming it from a State based on executive orders to one based on the rule of law. In 2009, the Government had adopted a master plan for the legal sector that aimed at enhancing the capacity, procedures and standards for legislative development, improving legal institutions, and promoting public awareness of legal rights and public participation in the legal system. The Lao People's Democratic Republic was committed to working with other Member States, international organizations and partners to further promote the rule of law at national and international levels.

10. **Mr. Sin** (Myanmar) said that Myanmar was striving to advance the rule of law at all levels by undertaking a series of legal and judicial reforms. The Supreme Court had issued a strategic plan covering court modernization and reform of the judiciary. Rule of law centres had been established in various parts of the nation to provide knowledge, skills and general awareness of the law through a targeted curriculum and outreach for legal professionals, community leaders and civil society organizations. Recent activities of the centres included conducting basic and advanced courses on the rule of law, holding training courses to produce more trainers and organizing community forums, round-table discussions and mock trials. There would be a referral system to enable visitors to individual centres to contact existing legal service providers. The centres would provide a range of international and legal materials and desktop computer access for online resources.

11. **Mr. Rao** (India) said that, although there was no agreed definition of the term "rule of law", one of its essential principles was that every executive action must have legal authority to support it. However, the mere codification or enactment of a law at the international or domestic level was not sufficient to promote the rule of law. All laws must stand the test of fundamental human values, including equal treatment, participation and representation, and should be open to review in order to prevent them from becoming an instrument of oppression. Ensuring access by Member States to the mechanisms for the peaceful settlement of international disputes was a key element in promoting the rule of law at the international level.

12. India had accepted the compulsory jurisdiction of the International Court of Justice. It was a party to several multilateral treaties and conventions adopted under the auspices of the United Nations. The Constitution stipulated that the State must provide free legal aid to disadvantaged people, and Parliament had adopted legislation under which free legal aid and other legal services had to be provided to women, children, the mentally challenged and victims of trafficking, mass disasters and natural calamities. In a number of pronouncements, the Indian judiciary had upheld the constitutional provisions on ensuring equal access to justice. The Supreme Court had also taken pro-active measures to promote access to justice. According to a recent governmental recommendation, a scheme would be framed to give priority to cases involving victims of acid attacks, who were mostly women and girls.

13. Lastly, he said that one of the most pressing needs was to make the Security Council a more representative body by enhancing its membership. Developing countries must be given a real voice in global decision-making. Global institutions must be fully reflective of contemporary realities and rule of law norms to enable them to address international challenges effectively.

14. **Mr. Eiermann** (Liechtenstein) said that in the past year several States had ratified the Kampala amendments to the Rome Statute on the crime of aggression, bringing the number of ratifications to 32. With the threshold of 30 ratifications having been passed, the requirement for the activation of the Court's jurisdiction over the crime of aggression had been met.

The Court's jurisdiction over that crime would ensure that perpetrators could be held to account at the international level for the first time since the Nuremberg and Tokyo trials. That was a significant step forward for the rule of law.

15. Regarding the implementation of multilateral treaties, he said that Liechtenstein was actively working on the domestic implementation of the 2030 Agenda for Sustainable Development. With respect to access to justice for all, including for the poorest and most vulnerable, he said that Liechtenstein would soon ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which empowered children in a significant way.

16. In conclusion, he expressed the hope that the next Secretary-General would give high priority to the rule of law as the building block of all three pillars of the United Nations: peace and security, human rights and development.

17. **Mr. Mundanda** (Zambia) said that major progress had been made in bringing the world to a common understanding of States' obligations and duties. Paradoxically, however, even with that increased commonality and the diminishing importance of physical distance, the process of reaching international agreement had taken on new dynamics that often delayed the finalization of treaties. Legal and institutional frameworks that reflected the basic tenets of the rule of law as contained in various multilateral treaties needed to be developed.

18. Zambia was a party to many multilateral treaties that supported the rule of law. Its new Constitution had created a Constitutional Court and a court of appeal. The Government had embarked on judicial reforms to facilitate the modernization of the judicial sector and to enhance independence, accountability, flexibility and fairness. The holding of elections on 11 August 2016 in an atmosphere of peace had demonstrated his country's commitment to the tenets of democracy and to the principle that it was unacceptable to change Governments through unconstitutional means.

19. **Mr. Hasebe** (Japan) said that the International Court of Justice, the International Tribunal for the Law of the Sea, the International Criminal Court and the Permanent Court of Arbitration were vital to ensuring the rule of law and the peaceful settlement of disputes,

and Japan had provided both human and financial resources to support them. Since strong human resources in the field were also needed to achieve the rule of law, Japan provided support in that area as well.

20. Referring to the role of the United Nations in promoting and universalizing the rule of law, he noted that, in 2020, Japan was to host the fourteenth United Nations Congress on Crime Prevention and Criminal Justice, which would provide a great opportunity to consolidate and promote the rule of law.

21. Turning to practical measures adopted by the Japanese Government to facilitate access to justice, he said that a legal support centre, established in 2006, placed particular emphasis on legal aid to people in need in areas where it was difficult to find lawyers and in regions affected by natural disasters such as the earthquakes in March 2011.

22. **Mr. Townley** (United States of America), describing how the United States approached the implementation of multilateral treaties, said that before it began negotiations on a treaty, it gave careful consideration to the obligations that the treaty was likely to contain and how it could give effect to them. There was then a formal process designed to ensure that all agencies to be responsible for implementing the agreement were conversant with it and with the actions they would be called upon to take. Such early engagement also gave relevant agencies a stake in the project. An important part of the review process was legal analysis to identify the laws and authorities that the United States would rely on to implement the agreement. If the authority was lacking, such gaps were identified and plans developed to secure the additional authority needed before the United States became a party to the treaty. The implementation of some treaties might involve actions by state and local officials. Where that was the case, the federal Government tried to coordinate with them, both during the negotiation of treaties and after the United States had become a party. The United States also sought to engage relevant private sector and civil society stakeholders both before and after the conclusion of treaties in order to benefit from their perspectives on how treaties might be most effectively crafted and implemented.

23. Turning to access to justice, he recalled that President Obama had signed a memorandum in 2015

establishing an inter-agency round table on legal aid. As a result, federal programmes designed to improve access to housing, health care services, employment and education and to enhance family stability and public safety had been strengthened. A 2014 study from the University of California's Berkeley School of Law indicated that legal interventions such as expungement of a criminal record stemmed the decline in earnings of individuals re-entering society and could even boost their earnings. Moreover, legal aid could drive down health-care costs by addressing substandard housing conditions and could reduce the time children had to spend in foster care.

24. In a country where one in five citizens qualified for legal aid but more than half of those seeking it were turned away for lack of funds, action was being taken through the provision by community health centres of health-related legal aid and funding to establish partnerships between the medical and legal communities. Federally funded legal aid programmes provided specialized legal services in order to meet the needs of particular populations such as indigenous communities.

25. Lastly, he wished to highlight the need to share best practices and exchange views, thereby facilitating critical peer-to-peer learning. There was also a need for measurement, in order to better understand what worked and what did not. Measurement was not some abstruse political yardstick: it was a tool for improvement. In order to identify indicators of access to criminal and civil justice, in September 2016 a federal working group had participated in a civil society consultation with over 30 experts from across the United States. Measuring justice was difficult but essential, because access to justice was the foundation for more inclusive societies.

26. **Mr. Perera** (Sri Lanka) said that strengthening the rule of law at the national and international levels was a common responsibility of Member States. As a nation that had recently suffered from terrorist attacks and a culture of impunity, Sri Lanka was acutely conscious of the need for the rule of law to work in tandem with the independence of the judiciary and the separation of powers.

27. Since the change of administration in 2015, the new Government had undertaken significant reforms to bolster the rule of law. Far-reaching constitutional

amendments had been introduced to limit the powers of the President, and measures had been taken to strengthen Parliament, including through the introduction of oversight committees.

28. In times of transition from conflict or repression, recognition of victims' rights promoted civic trust and strengthened the rule of law. Any breakdown in the rule of law led to social divisiveness and mistrust of State institutions, hampering the achievement of security and development goals and facilitating the cyclical recurrence of violence. States had a duty to guarantee that violations did not recur and to reform institutions that proved incapable of preventing abuses. Moreover, in societies where human frustration was prevalent and the rule of law was threatened, the empowerment of women was particularly important.

29. At the international level, the rule of law must be based on an order grounded in the principles of sovereign equality and non-interference, non-use of force or the threat of force and the peaceful settlement of disputes. It was those principles that served to protect States that did not have standing armies or military capacity. The principle of sovereign equality was of particular importance, as it ensured that all States had an equal opportunity to participate in the international law-making process. It also protected developing States from the harshness of an unequal world. Specific social, religious, philosophical and cultural factors had played a significant role in the evolution of the rule of law in different regions. The rule of law could therefore not be enforced from the outside, nor could it be made to conform to an external prescription that ignored domestic realities.

30. The scourge of terrorism continued to pose a direct challenge to the rule of law at both the national and the international levels. Thousands of lives were being lost, State borders were collapsing and human history continued to be erased by the destruction of cultural property. However, adherence to international obligations under counter-terrorism treaties and demonstration of the requisite political will to conclude negotiations on the draft comprehensive convention on international terrorism would bolster the rule of law.

31. The codification and development of international law was a key aspect of the rule of law at the international level. The International Law Commission made a valuable contribution in that

regard, as did the International Court of Justice, through its jurisprudence. His delegation commended the important work of the Office of Legal Affairs in strengthening multilateral treaty-making processes. The importance of participation by developing States in those processes should not be underestimated, and indeed had often proved vital to their success. However, they faced challenges in that regard, including insufficient financial and administrative resources and lack of legal expertise. The United Nations had a crucial role to play there by assisting States with capacity-building.

32. **Ms. Argüello González** (Nicaragua) said that her country espoused the rule of law and recognized the State's responsibility to maintain democracy, sovereignty, transparency and equity in all spheres. Nicaragua had shown its commitment to the restoration of the economic, political, social and cultural rights of the population, with particular emphasis on the human rights of women and children. Work in Nicaragua was continuing with a view to restoring the rights of all citizens to health, education, access to land and to justice and to live in peace. An excellent capacity for managing foreign investment and administering strategic projects had facilitated the improvement of public finances and the development of infrastructure and of major social programmes.

33. Her delegation stressed the urgent need to strengthen and uphold the rule of law at the international level, particularly in the current troubled times. Nicaragua was committed to any initiative that would help to reinvent the United Nations in response to the growing demand for a democratic organization that would serve the interests of security, justice, and peace in the world. The peaceful settlement of disputes through dialogue and negotiation was the only option. The work of the International Court of Justice not only contributed to the promotion, consolidation and dissemination of the rule of law, but was also essential to the fulfilment of commitments to ensure the sovereign equality of all States, a fundamental principle of the United Nations.

34. **Mr. Andanje** (Kenya) said that the rule of law could not exist without a transparent legal system: laws that were freely and easily accessible to all, strong enforcement structures and an independent judiciary to protect citizens against the arbitrary use of

power. The rule of law enabled people and institutions to fulfil their dreams and aspirations, individually and collectively. It could unlock the social, political and economic potential of societies and was linked to critical goals such as poverty reduction and sustainable human development, peacebuilding and peacekeeping, accountability for gross violations of human rights and combating organized crime and terrorism.

35. At the national level, Kenya was continuing to entrench the provisions of the 2010 Constitution. It was firmly on track to enabling members of society to access legal aid and justice in both the criminal law and civil law realms; to facilitating expeditious treatment of cases; and to creating confidence in the judicial system.

36. In order to be effective, capacity-building and activities related to the rule of law should be anchored by two principles, namely determining needs and priorities and local or national ownership. Those principles required partnership and mutual respect between the providers and recipients, while taking into account the customs, political and socioeconomic realities and laws of each recipient State.

37. **Mr. Bin Momen** (Bangladesh) said that addressing impunity, ensuring accountability and liquidating the legacies of the past were of critical importance. Bangladesh urged the international community to support national judicial and investigative processes to fight a culture of impunity in proven instances of mass atrocities. It noted with appreciation the specialized and technical assistance provided by the United Nations to facilitate transitional justice in the Democratic Republic of the Congo, the Central African Republic, Mali, South Sudan and Darfur.

38. As a State party to the Rome Statute, Bangladesh welcomed the ground-breaking forays by the International Criminal Court into ensuring accountability for the destruction of cultural heritage. However, in the current critical stage of building confidence and trust, discretion should be exercised about extending the Court's remit to a wider range of issues. Bangladesh was particularly supportive of efforts to ensure accountability for violence against women and children during armed conflicts, including by non-State actors, to promote women's participation

in peace processes and to disengage and rehabilitate children deployed in armed conflicts.

39. Promoting national implementation of multilateral treaties should be made one of the flagship activities of the United Nations. Appropriate tools should be developed for assessing the impact of its work in legal and judicial reform, improvement of prison and correction facilities and transitional justice. The Government of Bangladesh had recently decided to provide an information card to undocumented persons displaced from neighbouring Myanmar, which should facilitate their access to justice.

40. Like many resource-constrained settings, Bangladesh continued to face the challenge of developing and promulgating implementing legislation for the entire gamut of multilateral treaties to which it was a party. It would appreciate needs-based and results-oriented support from the United Nations and other international partners, especially in the form of capacity-building.

41. **Ms. Bourhil** (Tunisia) said that preparing international agreements and implementing their provisions based on the sovereign commitments of States could help to promote relations among States that conformed to one of the primary objectives of the United Nations, namely, recourse to peaceful means for the settlement of disputes. It was important to work towards more openness and transparency and to level the playing field for participation by the developing countries in the drafting and negotiation of treaties, given the complexities usually associated with the preparation of multilateral agreements. She noted the pivotal role of the Secretariat in providing advice on crafting final provisions in multilateral conventions and serving as depositary of such instruments.

42. There was an organic link between the development of the rule of law at the international level and progress in the implementation of rules for enhancing that principle at the national level. Thanks to the responsible approach adopted by all the parties concerned, Tunisia had been able to adopt its second Constitution, the cornerstone for building democratic institutions in line with the rule of law, the separation of powers, good governance and equality between Tunisian men and women. A commitment by the elite to overcoming the challenges faced during the transitional period had provided the impetus for

organizing presidential and legislative elections. The world had already recognized the transparency of those processes, proving the unique nature of the Tunisian experience and showing that Tunisians were committed to the principles of freedom, the rule of law and the sovereignty of the people. Now, the requirements of the Constitution needed to be fulfilled by improving various constitutional and judicial entities, by amending national legislation so as to guarantee basic rights and by carrying out reforms to fight terrorism and money-laundering. Tunisia was keen to achieve qualitative progress in the economic and social fields and to promote cooperation with the United Nations based on dialogue and transparency.

43. **Ms. Kanchaveli** (Georgia) said that in September 2016, together with a number of other partners, Georgia had organized a special high-level cross-regional event aimed at sharing success stories in open governance and reforming public administration, during which it had expressed its readiness to share its experiences with interested parties.

44. Over the last few years, Georgia had been implementing significant reforms aimed at bolstering the rule of law, transparency and governmental accountability. Ensuring the genuine independence of the judiciary from any outside interference and building public confidence in the court system had been priorities. As a result of the measures undertaken, the key judicial institution, the High Council of Justice, had become more democratic, open and transparent; life tenure of judges had been introduced; and clear and objective criteria and procedures for the appraisal of judges had been established. Another set of reforms had focused on depoliticizing and strengthening the institutional independence of the Chief Prosecutor's Office. On 15 May 2016, Parliament had enacted a set of amendments to the major legal codes and legislative instruments that provided for the possibility of reopening criminal cases in the event of a relevant decision of any of the major United Nations human rights treaty bodies. In addition, a person could now file a claim to a national court for adequate financial compensation based on a decision by one of those bodies.

45. The rule of law, together with justice, was a key element of conflict prevention, peacekeeping, conflict resolution and peacebuilding and for achieving peace

and security in countries in conflict and post-conflict situations. Georgia supported an effective interplay between national justice systems and the International Criminal Court in the fight against impunity. Owing to the occupation of the Tskhinvali region in South Ossetia, the Government of Georgia had been hampered in conducting investigative activities in the occupied territories. On 27 January 2016, the Pre-Trial Chamber had authorized the Prosecutor to proceed with the investigation of any crimes within the jurisdiction of the Court committed in and around South Ossetia, between 1 July and 10 October 2008. The Georgian authorities continued their cooperation with the Office of the Prosecutor, in accordance with Georgian legislation.

46. **Mr. Sareer** (Maldives) said that any approach to strengthening the rule of law must address the issue of national resilience: the capacity of a State and society to withstand systemic shocks, whether exogenous or endogenous, sudden or sustained. Such resilience was achieved by a robust legal framework established by strengthening democratic processes and nurturing an open and pluralistic political culture, a task that required decades of sustained commitment from domestic political actors with the support of international partners.

47. The Maldives had begun its journey towards democracy in 2008, with the adoption of the new Constitution. The Government was working to foster a culture of respect for the rule of law by upholding the constitutional segregation of the legislative, executive and judicial powers of the State and furnishing all the safeguards necessary to prevent the arbitrary exercise of power.

48. Uniformity, transparency and consistency in the application of the rule of law were imperative in order to maintain public confidence in the legal and judicial systems. Stable legal frameworks were necessary for progressive development, maintaining peace and security and protecting human rights. The Maldives had consistently maintained the constitutionally guaranteed rights through specific legislation, including a recent law on gender equality that provided avenues for remedies.

49. In order to strengthen the rule of law at the international level, the principle of non-interference in the internal affairs of a country must be upheld at all times. The protection of preemptory norms must not be

used as an avenue for the direct or indirect imposition of the social systems or ideologies of other States in countries where the normative framework had been determined through democratic processes. The obligation to maintain the rule of law applied not only to States, but to international organizations as well.

50. At the same time, the shortcomings in States' capacities to meet certain responsibilities arising from international law must be recognized. The Maldives advocated meaningful assistance and capacity-building from the international community to enable broad-based and effective participation in the activities undertaken by the global community.

51. **Ms. Langerholc** (Slovenia), describing her country's approach to treaty implementation, said that treaty provisions could be integrated directly into the domestic legal system as long as the treaty was self-executing. In the hierarchy of legal acts, international agreements ranked above statutory provisions, although the Slovenian legal system did not recognize the primacy of international law over constitutional provisions. In certain areas such as criminal law, treaty provisions had to be transposed into the domestic legal regime. Agreements concluded by the European Union were binding on Slovenia.

52. Considering the important consequences of concluding and implementing treaties, it was essential that knowledge of and experience with the law of treaties should be widely and readily available. As an example of good practice in that respect, she referred to a book on treaty law prepared by international lawyers in Slovenia and available electronically free of charge.

53. Slovenia commended the important efforts made by the United Nations in improving access to justice and legal aid for many victims of serious crimes and human rights violations. However, instability and conflicts, poverty, social exclusion and discrimination still posed serious challenges. Access to justice was a prerequisite for ensuring accountability for gross human rights violations and atrocities. International criminal courts made significant contributions in that regard, offering a last resort to victims who would otherwise be left unheard. All States should become parties to the Rome Statute of the International Criminal Court and ratify the Kampala amendments.

54. In Slovenia, everyone had the right to judicial protection and access to counsel in criminal cases. In civil cases, the relevant legislation ensured access to justice for the poor. Once a year, the Slovenian Bar Association held a pro bono day when attorneys provided legal services free of charge to anyone in need of such services. Civil society could also assist individuals with information and legal assistance: for example, lawyers and law students had developed a website on which advice on legal matters was offered free of charge. The initiative had now grown into a legal clinic aimed at the socially disadvantaged.

55. **Ms. Abayena** (Ghana) said that the rule of law underpinned Ghana's 1992 Constitution, ensuring that the institutions of Government abided by the tenets and principles set forth therein. The principles of separation of powers and independence of governmental institutions had been gradually embedded in the national culture over the years.

56. In Ghana, multilateral treaties had to be ratified by an act of Parliament or by a resolution supported by more than one half of the membership. Subsequently, a legislative instrument had to be passed to incorporate the treaty into domestic law. That process involved various arms of government, requiring a concerted effort to ensure that the commitment made by the country in signing the treaty was reflected in the relevant legislation to be passed by Parliament.

57. Access to legal representation and legal aid were provided for under the Constitution and reinforced by a number of legislative acts. A robust legal aid mechanism had been developed, together with non-governmental organizations (NGOs) and civil society organizations, to ensure that all citizens of Ghana, especially the poorest and the most vulnerable, had fair access to the legal system. A person requiring such assistance was availed of it, at Government expense, by representation through a lawyer, including in the steps preliminary or incidental to any proceedings or in arriving at a compromise to avoid proceedings. An example of such assistance was a programme that afforded prisoners on remand access to legal representation.

58. In order to realize the full benefits of advancing the rule of law both at the national and at the international level, capacity-building and technical assistance were crucial. The activities and programmes

undertaken within the ambit of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law were important in that connection. The Audiovisual Library of International Law provided high quality training and research materials to a wide constituency of researchers, government lawyers and teachers of international law. Ghana applauded the work of the Office of Legal Affairs and appreciated the treaty events held over the past several years.

59. **Mr. Castro Córdoba** (Costa Rica) said that his delegation firmly believed that promotion of and respect for the rule of law at both the international and the national levels were crucial to progress towards peace, stability, democracy, respect for human rights and sustainable development. His country's experience and international evidence had shown that countries in which the rule of law prevailed were able to ensure better living conditions for their citizens. For Costa Rica, a democracy without an army and committed to development, it would not be possible to live in peace without the trust fostered by the rule of law and the protection afforded by the international instruments to which it was a party.

60. Ensuring access to justice for all, especially for vulnerable population groups, was the duty of all States. Patterns of social and economic exclusion, however, militated against true access to justice. Costa Rica had been working to make such access a reality and to ensure that no one was left behind. It had set up a judicial commission, coordinated by a Supreme Court magistrate and comprising representatives of trade unions and the population at large, to ensure access to justice for vulnerable groups, with separate units for each group, such as disabled persons, migrants and refugees, indigenous persons and children and adolescents. One of the results of the commission's work had been a policy for access to justice for persons of African descent, aimed at rectifying earlier and systematic violations of their rights.

61. At the international level, respect for the rule of law meant full compliance with the international legal framework. Costa Rica was committed to the peaceful settlement of disputes using the legal machinery offered by international law. The International Court of Justice played a crucial role in the peaceful settlement of disputes between States and in the development of

international law and the strengthening of the rule of law. All States should abide by its decisions in good faith. In addition, his Government noted with satisfaction that the International Criminal Court was gradually bringing to justice those responsible for the worst violations of international law and crimes against humanity. His delegation urged all States that had not yet done so to ratify the Rome Statute and the amendments thereto, bearing in mind their responsibility to the victims of mass atrocities.

62. **Ms. Mukasa** (United Republic of Tanzania) said that her country's judiciary had made encouraging progress in disposing of the backlog of cases in different regions and ensuring timely attainment of citizens' rights. For that purpose, every judge and magistrate was assigned a minimum number of cases to be finalized within a year. The number of high court judges and of magistrates at lower courts had also increased quite significantly. The Government was working towards introducing mobile courts in areas that lacked court facilities and judicial officers, a measure that would bring judicial services much closer to the people and cut costs.

63. However, administrative measures alone could not yield results if there was no legal framework in place to ensure effective adherence, enforcement and implementation. The Government had accordingly taken a number of steps to shore up both administrative and policy actions in order to ensure accessibility to justice by all. New rules had widened the threshold for legal aid eligibility, extending legal aid coverage to many in need such as children, people with disabilities or illnesses and persons accused of serious offences. There was also a new set of rules and regulations to guide court users by removing certain procedural ambiguities. In civil matters, filing fees for bringing cases to the courts had been abolished for the poor and the most vulnerable. New legislation enacted in May 2016 sought to address the vice of corruption in a more effective manner.

64. Nevertheless, the Government continued to grapple with a few challenges in its drive to provide access to justice for all — the language barrier, for example. Most of the laws were in English, a language in which the majority of citizens could not communicate easily. Efforts to translate court rules and procedures into Swahili had been hampered by

inadequate financial resources. The use of court interpreters had also been affected by budgetary constraints. Lastly, there was a lack of interest among the populace in seeking redress in courts of law because of a lingering belief that the courts were for the elite few. Her Government appealed to the international community for assistance with such challenges.

The meeting rose at 1 p.m.