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

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The meeting was called to order at 10.10 a.m.

1. **The Chair** said he was proud to be the first representative of the State of Israel to chair a Main Committee of the General Assembly. The Sixth Committee had an opportunity and a responsibility to shape the future of international law, which provided a shared framework for dealing with global challenges. In an interconnected and globalized world characterized by changing and increasingly complex realities, it was essential to keep international law up to date and ensure that pressing matters of international interest could be addressed in a principled and law-governed way. It was more important than ever to promote the institutions that provided for security, stability and justice in society: strong rule of law, functioning legal systems and an effective legal order. In the current context, in which those institutions were being threatened by terrorism and humanitarian crises, it was urgent for the Committee to overcome divisions and reach concrete outcomes. He looked forward to working with Committee members to develop and advance international law.

Statement by the President of the General Assembly

2. **The Chair** invited the President of the General Assembly to address the Committee.

3. **Mr. Thomson** (Fiji), President of the General Assembly, said that law and justice were fundamental to the maintenance of international order. Since the founding of the United Nations, the promotion of international law had been one of its principal objectives. Indeed, the work of the Organization could not be achieved without upholding the international legal system. The Sixth Committee's work was therefore critical to the effective functioning of the United Nations. As the Committee members embarked upon their work, he encouraged them to apply the same determination and resolve that had enabled the international community to overcome differences in the past and achieve outcomes that served the world as a whole.

4. The increased interaction between the International Law Commission and the Sixth Committee was beneficial to the shared effort to promote international law. He commended the Commission on its successful work over the previous

five years, in particular on diplomatic protection, the law of transboundary aquifers, the draft articles on State responsibility and the prevention of transboundary harm from hazardous activities, and he encouraged delegations to engage in constructive debate on those topics and others of relevance to the codification and strengthening of international law.

5. He also encouraged a meaningful debate on the administration of justice at the United Nations and urged delegations to finalize the work on the draft comprehensive convention on international terrorism during the current session. For 16 years, while the Committee had been debating differences of opinion, atrocities had been committed and lives lost; it was time to muster the political will to bridge the divides and finalize the instrument.

6. The 2030 Agenda for Sustainable Development would remain a catalogue of good intentions if its ambitious goals and targets were not transformed into action. A primary objective of the current session would be to push for meaningful progress in implementing the Sustainable Development Goals. The work of the Committee's legal experts — whether on specific Goals, such as those related to the oceans and marine resources, or on cross-cutting issues, such as access to justice and the rule of law — would be fundamental to the success of that endeavour. He and his team stood ready to support the Committee in reaching a successful conclusion to its work.

7. **The Chair** said that the Committee would make every effort to complete its work in a productive and timely manner.

Agenda item 108: Measures to eliminate international terrorism (*continued*) ([A/71/182](#), [A/71/182/Add.1](#) and [A/71/182/Add.2](#))

8. **Mr. Islam** (Bangladesh), observing that the global spread of terrorism and violent extremism in 2016 had been unprecedented, said that vicious attacks around the world had exposed growing ideological networks of international terrorist groups and had perhaps also exposed divergences in the international community's understanding of and response to terrorism and violent extremism. Terrorists had been quick to take advantage of those divergences. At the fifth biennial review of the United Nations Global Counter-Terrorism Strategy, Member States had affirmed their resolve to implement

the four pillars of the strategy and had welcomed the Secretary-General's Plan of Action to Prevent Violent Extremism as a possible template for replication at the national and regional levels. In order to further streamline and coordinate the United Nations response to terrorism and violent extremism, the current Secretary-General and his successor should give serious thought to recommending a meaningful review of the Organization's counter-terrorism architecture, and Member States should engage constructively in that review so that it would not become yet another missed opportunity.

9. Counter-terrorism efforts in Bangladesh were guided by the global norms and standards established by the United Nations, complemented by practical measures tailored to local specificities. The previous seven years had seen significant change in the Government's counter-terrorism response at the policy, legal and institutional levels, in line with its avowed zero-tolerance approach. Bangladesh was a party to most international counter-terrorism instruments and had instituted a national mechanism for promoting compliance with the relevant Security Council resolutions.

10. His Government had made it clear that it would not allow Bangladeshi territory to be used by any regional operatives to cause or incite harm against neighbouring countries, and it had taken decisive and principled action to arrest and prevent the potential flow of foreign terrorist fighters, both outbound and inbound. The measures it had put in place to combat money-laundering and the financing of terrorism had been duly recognized by the Financial Action Task Force. The Government supported the strengthening of international cooperation on transport security and access to cost-effective screening and detection technologies in resource-constrained settings and was open to discussions on a possible nexus between, on the one hand, arms proliferation and other transnational organized crimes and, on the other, terrorism and violent extremism.

11. While tangible gains had been made in containing local terrorist groups, international terrorist entities had succeeded in attracting new recruits, notably among educated young people motivated by twisted extremist narratives. The new brand of terrorists promoted a religious extremist agenda and had managed to tap into

a sustained sense of grievance by highlighting palpable trends of Islamophobia and xenophobia.

12. The Government and people of Bangladesh were determined to combat and eliminate the new terrorist threats. The Government was pursuing a "whole of society" response through multi-stakeholder platforms at the grass-roots level that sought to build awareness and put in place safeguards against violent extremism. That response involved, among other things, building community resilience and engagement, community policing, women- and youth-led initiatives, and capacity-building for public officials, including human rights training. His Government appreciated the support of international partners for those counter-terrorism efforts.

13. His delegation wished to see definite progress in developing a comprehensive convention on international terrorism. It was imperative to translate the commitment to global counter-terrorism efforts into unqualified refusal of support for the terrorist masterminds, financiers, abettors and sympathizers, irrespective of their denomination or affiliation. The seamless flow of information and intelligence among national jurisdictions was critical. At the same time, there must be a demonstrable effort to find lasting solutions to illegal foreign occupation, colonization and protracted conflicts that were an ongoing source of grievance among certain groups of people, which terrorists exploited to their advantage. Lastly, it was perhaps time to consider a global compact to harness the resources and agency of youth around the world to prevent and counter violent extremism.

14. **Mr. Gone** (Côte d'Ivoire) said that terrorism was a matter of grave concern to the international community as a whole. Fighting it had become more difficult as terrorist groups now had international connections and were using modern technological, logistical and military means to carry out their activities. More than ever, coordinated international action was needed. No country was safe from terrorism. Indeed, his country, like many others, had experienced a deadly terrorist attack that had claimed the lives of 19 people and injured 33. Côte d'Ivoire had ratified 16 international counter-terrorism instruments and had also enacted legislation aimed at combating the scourge of terrorism, including a 2009 presidential order on combating terrorism financing in the Member

States of the West African Economic and Monetary Union. That legislation had been complemented by a 2015 law classifying a number of acts as acts of terrorism and establishing severe penalties for such acts, while at the same time taking account of the need to ensure full respect for human rights and civil liberties. The law also made it a criminal act either to recruit persons for a terrorist group or to join such a group.

15. Terrorism could be eliminated only with the full involvement of the international community. His delegation therefore supported the adoption of a comprehensive convention on international terrorism and encouraged Member States to continue their efforts in that direction.

16. **Ms. Abayena** (Ghana) said that terrorism had become one of the gravest threats to world peace and security. All countries were at risk. In her subregion, the presence of Boko Haram in north-eastern Nigeria and the Chad basin had displaced millions of people and claimed thousands of lives. Burkina Faso, Côte d'Ivoire and Mali had recently experienced terrorist attacks, and there had been incidents in numerous other countries around the world. United action was needed to address the widespread scourge of terrorism. Her delegation welcomed the initiatives taken within the United Nations to stop terrorism, including the work done thus far on a comprehensive convention on international terrorism; it encouraged all Member States to cooperate in resolving the outstanding issues and reaching consensus on the final text.

17. Ghana had taken steps to enact and strengthen laws and regulations to combat terrorism. The Anti-Terrorism Act of 2008 and its recent amendments sought to criminalize and punish terrorist acts, including those related to financing or providing support for terrorist activities, harbouring persons who committed terrorist acts or providing training to terrorist groups. Her delegation called for support for capacity-building to enable countries, particularly developing ones, to improve and ensure effective implementation of the various United Nations counter-terrorism initiatives and related resolutions.

18. **Ms. Sugurdardottir** (Iceland) said that no country was untouched by terrorism and all potentially harboured individuals who might nurture extremism that could escalate into violence. Member States'

adoption by consensus of General Assembly resolution 70/291 during the fifth biennial review of the United Nations Global Counter-Terrorism Strategy was therefore significant. The review had focused on the prevention of terrorism and of violent extremism conducive to terrorism and had brought about increased attention to women and youth, criminal justice and cooperation, recruitment strategies and methods of financing. Resolution 70/291 included recommendations regarding the Secretary-General's Plan of Action to Prevent Violent Extremism, an important vision that should be implemented at the national, regional and global levels.

19. Her Government condemned terrorism in all its forms and manifestations. At the same time, it attached great importance to ensuring that all counter-terrorism measures were in line with international law, including international human rights instruments and international humanitarian law. Such measures would never succeed if the illusion of increased security came at the cost of liberties and human rights. In all its organs, agencies and missions, the United Nations must lead by example through strict adherence to the principles of international law, and Member States must do likewise at the national and regional levels. There was room for improvement in the coordination and coherence of United Nations counter-terrorism efforts. Her delegation looked forward to concrete suggestions from the Secretary-General in that regard, by May 2017, as requested during the fifth biennial review.

20. The global scale of the terrorist threat called for unified action. A comprehensive convention on international terrorism would strengthen Member States' shared commitment to eliminate terrorism, while also upholding international law, and would send a strong signal of unity and of United Nations leadership in responding to the challenge of terrorism. Her delegation therefore encouraged further efforts to resolve differing positions on the convention.

21. **Mr. Kravik** (Norway) said that the threat of terrorism continued to grow, as violent extremist groups found new ways to carry out attacks, finance their activities, spread propaganda and recruit new personnel into their ranks. In States' efforts to fulfil their primary responsibility for implementing measures to counter terrorism and violent extremism, national

action plans had become important tools. Norway had adopted its first action plan in 2010 and had revised and updated it regularly. In 2016 the Norwegian parliament had adopted a white paper focusing on four areas: terrorism, organized crime, piracy and cybersecurity. Norway would respond to security challenges in those areas internationally by promoting more frequent exchanges of knowledge and by helping to build capacity in vulnerable States and areas. Development was crucial to countering terrorism and violent extremism, as reflected in Sustainable Development Goal 16, which sought to promote peaceful and inclusive societies and provide justice for all.

22. His Government attached great importance to ensuring full respect for human rights and the rule of law in all efforts to counter terrorism. It strongly supported the Secretary-General's Plan of Action to Prevent Violent Extremism. Such extremism was unacceptable, regardless of its political, ideological or religious motivations. In order to address the factors that might lead to violent extremism, joint efforts involving a range of actors were required.

23. Terrorist groups and extremists tended to target women. Violence against women and curtailment of their rights had become intentional strategies. Hence, if ever a gender analysis of conflict was needed, it was now. Norway was a proud supporter of the Women's Alliance for Security Leadership and of the Norwegian documentary film maker, Deeyah Khan, whose efforts — which included deradicalizing sympathizers of Islamic State in Iraq and the Levant (ISIL) and negotiating humanitarian access with Boko Haram — were making a real difference. With a view to using women's insights to inform policies and programmes, his Government, together with the Women's Alliance for Security Leadership and UN-Women, had launched a formal dialogue during the current session aimed at ensuring that the voices of women working on the front lines reached policymakers at the highest level.

24. His delegation saw merit in the European Union proposal to rationalize the work of the General Assembly on international terrorism. It therefore supported the inclusion of the item on the Sixth Committee agenda on a biennial basis in order to avoid duplicating the work undertaken by the plenary in the

biennial reviews of the United Nations Global Counter-Terrorism Strategy.

25. **Mr. Arrocha Olabuenaga** (Mexico) said that the previous decade had seen the emergence of new terrorist groups whose influence had spread. That trend was directly linked to armed conflicts in various parts of the world, to which the international community had been unable to find a peaceful solution. The attacks perpetrated by the new terrorist groups were of concern not only to the States directly affected, but also to the many countries that had been harmed by the global reach and sinister influence of such groups. Although the manner in which States chose to deal with the new terrorist threats had changed in response to the specific nature of the phenomenon, it remained imperative to ensure full respect for international law, including international humanitarian law, human rights law and international refugee law. Failure to do so could undermine prospects for peace and prolong the suffering of the civilian population and could also give rise to perceptions of injustice that might facilitate terrorist recruitment and radicalization. Ensuring strict adherence to international human rights law would reduce the risk of fuelling the motives that could lead to violent extremism and terrorism, including discrimination, racism and xenophobia.

26. Although a broad legal framework for combating terrorism existed, it was important to give further consideration to important challenges to international law that had not been addressed in a global manner, such as better international legal cooperation with regard to the arrest and imprisonment of members of terrorist groups and restrictions on the gathering of intelligence and evidence. One of the methods used by the new terrorist groups to cause harm and finance their activities was the destruction of cultural property and the sale of artefacts looted from territories under their control. Efforts by the Security Council and the United Nations Educational, Scientific and Cultural Organization to combat that phenomenon were heartening. The international legal framework should be further strengthened through the effective implementation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two protocols and the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

27. Informal mechanisms such as the Financial Action Task Force had an important role to play in providing technical assistance and developing recommendations on how to impede money-laundering and the financing of terrorism. The Task Force's recommendations, which were supported by the Security Council and many States, including Mexico, must be in line with the general principles of counter-terrorism embraced by the United Nations, in particular full respect for human rights, due process and the rule of law.

28. In the effort to combat new forms of terrorism, it was important not to avoid a discussion of the limits imposed by the Charter of the United Nations, particularly in relation to the right to self-defence. A broad interpretation, without careful consideration of its effects, could lead to abuse. As had already been seen, failure to observe those limits could have a long-term negative impact on the fight against international terrorism and on the maintenance of international peace and security. His delegation urged the Committee to engage in a thorough discussion of the matter. It was also important to continue the debate on how to define "violent extremism" and "international terrorism" in order to reduce the risk that measures aimed at countering those phenomena might be abused, and in order to help reach a consensus on how to respond to them. His delegation therefore remained committed to the adoption of a comprehensive convention on international terrorism and called on Member States to resolve the issues standing in the way of agreement on that important instrument.

29. **Mr. Maloukou** (Congo) said that terrorism had become one of the biggest threats to international peace and security. No country or region was immune to the threat of terrorism, and Africa had certainly not been spared. Terrorist splinter groups in northern Africa, most of them claiming allegiance to Al-Qaida or ISIL, and Boko Haram in Western and Central Africa had claimed innocent victims from peaceful populations already grappling with serious socioeconomic problems. With a view to curbing and eventually eliminating those barbaric phenomena, the Republic of the Congo had fully endorsed the regional strategy on counter-terrorism and the non-proliferation of small arms and light weapons in Central Africa, which mirrored the United Nations Global Counter-Terrorism Strategy, particularly the provisions relating

to measures aimed at eliminating conditions conducive to the spread of terrorism and building State capacity to combat terrorism collectively, efficiently and sustainably. The adoption of the strategy had served to reaffirm and strengthen the Road Map for Counter-Terrorism and Non-Proliferation of Arms, adopted at the 33rd meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, which set out mechanisms for cooperation in customs matters, law enforcement and the social and economic spheres.

30. The Republic of the Congo was firmly committed to the collective fight against terrorism and violent extremism. It had become a party to several relevant United Nations legal instruments, in particular those relating to civil aviation, and the Government was pushing for ratification of other instruments. It was also a party to regional instruments, such as the African Union Convention on the Prevention and Combating of Terrorism. The 11 members of the Standing Advisory Committee had sealed their joint commitment to fight terrorism by signing the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, the implementation of which would undoubtedly contribute to the prevention of violence and terrorist acts. His delegation urged all Central African States to ratify the Convention.

31. **Mr. Moussa Mohamed Moussa** (Djibouti) said that the fight against terrorism was among the foremost challenges of the current era. All Member States must join forces to ensure the preservation of international peace and security through dialogue and coordination and with full respect for human rights and fundamental freedoms. His delegation reaffirmed its condemnation of terrorism in all its forms and manifestations and its conviction that terrorism could not be identified with any religion, race, culture, society or group. It welcomed the acknowledgement during the fifth biennial review of the United Nations Global Counter-Terrorism Strategy of some factors that could lead to radicalization and violent extremism, including conflict, foreign occupation and oppression. The review had also reaffirmed the pre-eminent role of Member States in combating terrorism and implementing the four pillars of the strategy, while also underlining the urgent need to strengthen international

cooperation to put a stop to the financing of terrorism, migration of foreign terrorist fighters and the use of information and communications technology to spread terrorist propaganda.

32. East Africa had been among the first regions to suffer terrorist attacks committed by groups such as Al-Shabaab and Al-Qaida, and it had therefore played a key role in the fight against terrorism. The reasons for the spread of terrorism were deep-seated and diverse. They included weaknesses in the international security structure, conflicts in the Middle East and Africa, economic hardship and extreme poverty. A perception of marginalization could give rise to a feeling of insecurity and a desire to belong, which could make some groups susceptible to terrorist rhetoric and lead them to commit violent acts.

33. For many years, Djibouti had been at the forefront of efforts to combat terrorism and violent extremism in the subregion. It had incorporated the provisions of relevant international legal instruments, including United Nations conventions and Security Council resolutions, into its domestic legislation. Djiboutian troops had been deployed to Somalia as part of the African Union Military Observer Mission to fight alongside Somali forces to halt the destabilizing terrorist activities of Al-Shabaab. In addition, it was cooperating with other countries of the subregion through the Intergovernmental Authority on Development, and it had offered to host a regional centre of excellence to combat extremist propaganda. In 2014 his Government had organized meetings with regional religious leaders to develop methodological tools for the formulation and strengthening of public policies to counter extremist discourse.

34. The countries of the subregion were in the process of drawing up a regional action plan for combating terrorism. Their ability to implement it fully and rapidly, however, would depend on the amount of financial support they received.

35. **Ms. Song** Miyoung (Republic of Korea) said that terrorist threats had taken on a transnational dimension. Terrorist groups such as ISIL were endangering the Middle East and beyond, terrorist propaganda was being disseminated via the Internet and home-grown terrorists were perpetrating attacks in various countries. Her delegation firmly upheld its stance that no terrorist act could be tolerated or

justified in any circumstances and remained committed to fight jointly to end terrorism. The United Nations was well positioned to play a crucial role in countering global terrorism by providing analyses and strategic guidance on how to address new counterterrorism challenges. In that connection, her delegation welcomed the adoption of Security Council resolution [2309 \(2016\)](#), which sought to counter the ongoing danger posed by terrorism to civil aviation.

36. Given the lack of adequate enforcement mechanisms in the international community, it was essential that each country should faithfully and fully implement the relevant Security Council resolutions and other obligations under international law at the national level, while simultaneously bolstering mutual cooperation with a view towards bridging capacity gaps and limitations. Her Government had already put in place the necessary measures to implement the major counter-terrorism conventions to which the Republic of Korea was a party. It was also accelerating its efforts to implement Security Council resolutions [2170 \(2014\)](#), [2178 \(2014\)](#), [2253 \(2015\)](#), and [2309 \(2016\)](#), including through the enactment of a law on terrorism prevention in March 2016. In addition, the Government had launched an inter-agency process to strengthen information-sharing, border control and law enforcement and had stepped up measures to monitor the travel and prevent the entry of foreign terrorist fighters. It was also collecting best practices from other countries and looked forward to sharing its own lessons learned with a view to strengthening international cooperation.

37. In dealing with the evolving scope and nature of terrorist threats and in eradicating the root causes of extremist attitudes, a sustained, inclusive and holistic approach must be taken. Global cooperation on preventing and countering violent extremism was essential. Her Government had already hosted a regional workshop on countering violent extremism and planned to host another in 2016 in conjunction with the Association of Southeast Asian Nations.

38. The scale of current terrorist threats called for flexibility in order to end the impasse on a comprehensive convention on international terrorism and bring the negotiations to a close. Her delegation affirmed its commitment to a concerted effort to agree on the comprehensive convention.

39. **Mr. Barro** (Senegal) said that his Government strongly condemned terrorism in all its forms and manifestations. Terrorist acts were crimes that could never be justified. The scourge of international terrorism struck blindly and indifferently around the world. Terrorism was an ancient phenomenon, but the striking forms it had taken in recent year years required resolute coordinated action on the part of the international community.

40. Senegal was a party to most of the 19 international counter-terrorism instruments, which constituted a strong legal framework; yet they had not been sufficient to put an end to the scourge of terrorism, which had taken on increasingly sophisticated forms and was becoming harder to fight. Terrorists, using modern communication and propaganda tools, were exploiting gaps to broaden their sphere of influence and action and to recruit fighters from all over the world. Such terrorist fighters, now estimated to number over 25,000, represented a real threat to countries of origin, transit and destination. Affected countries required technical and financial assistance to strengthen their border controls and limit the movements of foreign terrorist fighters. As recognized in Security Council resolution [2309 \(2016\)](#), which his delegation had sponsored, the numerous attacks on aircraft and air transport infrastructure made it urgent to strengthen the safety and security of air travel.

41. The international community must also take urgent action to eliminate all sources of financing for terrorism. Security Council resolution [2253 \(2015\)](#) provided strong tools for that purpose. Governments should put in place effective laws and work closely with the private sector, including the banking industry, to stop the movement of funds by terrorist groups and should also implement the measures recommended by the Financial Action Task Force to combat money-laundering, particularly those relating to information-sharing.

42. Terrorism was not tied to any culture, civilization or religion. The irresponsible acts of a few splinter groups could never justify any attempt to link terrorism to Islam. Islamophobia would only fan the flames of antagonism and exacerbate the clash of civilizations that extremists sought to foment. Indeed, Islam and Muslims were the primary victims. The war against

terrorism must be waged on a global scale, with special attention to Africa, given the proliferation of terrorist groups in the region. The Sahel-Sahara subregion, for example, had seen a steady rise in the number of such groups, which were constantly shifting their areas of operation and targets. The humanitarian consequences were staggering: 20 million people had been affected and 2.8 million displaced.

43. The inextricable link between terrorism and transnational crime called for a holistic approach that took account of political, ideological, humanitarian and security-related considerations. It was essential to address the root causes of terrorism through education, including religious education, information and awareness-raising to counter the strategies of terrorist recruiters. Dialogue between civilizations, religions and cultures should be strengthened to promote greater understanding and tolerance, and prejudices and stereotypes that nurtured the hatred on which terrorism fed should be firmly rejected. Steps should be taken to eliminate poverty and ensure decent living conditions through a true commitment to development and social justice, for it was in ignorance, poverty and social exclusion that terrorism found fertile ground.

44. **Mr. Al-Moumani** (Jordan) said that terrorism and violent extremism posed a grave threat to peace and security. They endangered all members of the human race, irrespective of religion, gender or national origin. A comprehensive global response was required, taking into account political, social, economic and educational factors, involving constant interaction among stakeholders at the national and international levels, in order to address the root causes of terrorism and violent extremism. The chaos that prevailed in conflict zones and policies of marginalization and social exclusion created fertile ground for terrorism and extremism. The failure to find a just and peaceful solution to the Israeli-Palestinian conflict had given terrorists a pretext for recruiting foreign terrorist fighters from around the globe. A collective effort was needed at the national, regional and international levels to put in place the legal tools required to combat the financing of terrorism more effectively. Efforts were also needed to counter the tactics of terrorists who exploited social media for recruitment and used the Internet for the trafficking of cultural property.

45. Jordan had joined a number of international initiatives with a view to aiding the fight against violent extremism and promoting dialogue, tolerance and peaceful coexistence, including the “A Common Word between Us and You” initiative and the United Nations Global Compact. It had been one of the first countries to call for the mobilization of young people against terrorism, in line with Security Council resolution 2250 (2015) and the Amman Youth Declaration on Youth, Peace and Security. The war against terrorism was truly a third world war, which demanded a concerted response from all.

46. **Mr. Sukhee** (Mongolia) said that the fifth biennial review of the United Nations Global Counter-Terrorism Strategy had shown that Member States could be united under one strategy, even though they might not unanimously agree on a definition of terrorism. The General Assembly had made it clear that primary responsibility for the implementation of the Strategy lay with Member States, and Mongolia was fulfilling that responsibility. Progress had clearly been made in implementing the Strategy, but challenges had arisen, as well, with the emergence of new types of terrorist threats and the rise of violent extremism that could fuel terrorist groups and trigger terrorism. In combating terrorism, Member States should ensure respect for international humanitarian law, the rule of law and human rights. His Government had demonstrated its respect for human rights through, inter alia, the establishment of a national human rights commission and its continued willingness to engagement in constructive dialogue with the United Nations human rights mechanisms. Its action plan for 2016-2020 provided for the implementation of a programme to prevent and combat money-laundering, human trafficking, drugs, cybercrime and violence.

47. His delegation highlighted the central role of the United Nations as the appropriate framework for the coordination of counter-terrorism efforts and the provision of technical assistance. It fully supported the United Nations Global Counter-Terrorism Strategy and the Secretary-General’s Plan of Action to Prevent Violent Extremism, and it reaffirmed its commitment to cooperate with United Nations organs and Member States in the joint effort to effectively implement the Strategy and related resolutions and to ensure peace and security for all peoples.

48. **Mr. Bukoree** (Mauritius) said that his Government strongly condemned terrorism in all its forms and manifestations. It was more important than ever for States and international organizations to cooperate fully in the fight against terrorism in accordance with their obligations under international law. Coordination among States should be strengthened and cooperation intensified for the exchange of timely and accurate information for the purpose of preventing and combating terrorism. Mauritius was a member of the Southern African Regional Police Chiefs Cooperation Organization, through which it shared early warning information.

49. His Government was working on its national counter-terrorism strategy, with particular emphasis on community bonding, law enforcement, intelligence-gathering and response and recovery, in line with the United Nations Global Counter-Terrorism Strategy. Domestic laws dealt comprehensively with all aspects of terrorism, including financing, while also ensuring respect for the fundamental rights enshrined in the country’s Constitution, which guaranteed the fundamental rights and freedoms of the individual, including freedom of conscience. Mauritius was a party to several international treaties that established the obligation to apprehend and prosecute or extradite perpetrators of terrorist acts. National authorities had benefited from intensive training courses on counter-terrorism offered by international agencies and other Member States.

50. Mauritius adhered fully to all of the international human rights instruments to which it was a party. Intercultural dialogue in its multi-ethnic and multi-religious society was an ongoing process that had helped to break down barriers and promote a culture of peace, justice, human development, tolerance and respect for different religions and cultures. It had thus also helped to tackle the root causes of terrorism, radicalization and violent extremism, which often arose in situations of poverty, inequality, marginalization and discrimination.

51. **Ms. Randrianarivony** (Madagascar) said that no country was safe from terrorism. Her Government reaffirmed its strong condemnation of terrorism in all its forms and manifestations and remained committed to all regional and subregional initiatives to combat international terrorism. It had created a national

framework to combat terrorism and transnational organized crime, which had produced the national report on the implementation of the Southern African Development Community counter-terrorism strategy and plan of action. The report outlined the activities undertaken to strengthen legal and institutional frameworks and international cooperation to combat terrorism.

52. A high-level workshop had been held in 2016 to provide training and raise awareness of the importance of preventing money-laundering and the financing of terrorism. The event had helped to disseminate the recommendations of the Financial Action Task Force. In addition, Madagascar had hosted a regional colloquium on combating transnational organized crime and maritime piracy. A maritime information clearinghouse had been set up and was helping the Indian Ocean and West African countries combat maritime piracy, terrorism and trafficking. Her country had ratified the Convention on Extradition and Mutual Legal Assistance in Counter-terrorism, and bills were currently being drafted with a view to bringing domestic law into line with the United Nations Global Counter-Terrorism Strategy and the international instruments to which Madagascar was a party.

53. International cooperation was essential to the fight against terrorism, especially as terrorists were continually perfecting and diversifying their means and methods. Her delegation favoured the speedy conclusion of a comprehensive convention on international terrorism and the settlement of outstanding issues such as the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. The elements defined in 2007 after lengthy consultations represented a commitment that would enable the international community to move forward and protect the gains made to date.

54. **Mr. Garshasbi** (Islamic Republic of Iran) said that the international community had gathered to talk about international terrorism at a time when hundreds of innocent civilians, including women and children, were being terrorized on a daily basis, parts of sovereign territories were being controlled by violent extremist groups and unspeakable crimes were being committed by foreign terrorist fighters. The problem

was further complicated by terrorist acts fuelled by sectarian violent extremism. The Islamic Republic of Iran had been the target of terrorist acts in various forms and manifestations, including State-sponsored terrorism. Ironically, however, the States responsible had accused other States of sponsoring terrorism, with no justifiable grounds and in flagrant violation of international law. Such unilateral acts undermined international efforts to counter terrorism. The political decision of the courts of the United States of America to seize the assets of the Central Bank of Iran the previous year was a clear example of abuse of national banking and financial networks. His Government was determined to use its full legal arsenal, including recourse to the International Court of Justice, to recover its illegally seized assets.

55. In line with its international commitments, the Islamic Republic of Iran had finalized its national legislation concerning suppression of the financing of terrorism in March 2016 and remained at the forefront of regional efforts to combat terrorism. The law criminalized any financial contribution to individuals or organizations involved in the commission of a wide range of terrorist acts. However, in order to counter the financing of terrorism effectively, there must be collective action at the international level, without any double standards, partiality or discrimination. Such financing could only be fought through an objective, technical and non-political approach, put into effect through constructive mutual cooperation.

56. His delegation wished to express its deep concern over the provision of training, weaponry and explosives by certain countries to some terrorist groups as part of a plan to fight ISIS. One of those groups was known to have carried out terrorist attacks in Iran and had openly declared its intention to continue its operations. Another notorious terrorist group responsible for several terrorist attacks in Iran had been delisted by some Member States in pursuit of their political agenda, which was indicative of the fact that some Governments utilized terrorism to further their political goals, despite their obligation under numerous treaties and resolutions to fight terrorism.

57. Violent extremism and terrorism were interlinked and posed a real challenge to the entire world, as evidenced not only by the savagery and atrocities occurring in Iraq and Syria, but also by brutal acts

committed in diverse countries the world over. In the face of those heinous crimes, the international community needed to identify the major drivers of violent extremism. While scourges such as dictatorship, poverty, corruption and discrimination could serve as contributing factors under certain circumstances, abundant experience and facts had clearly shown that only a destructive ideology could turn an otherwise peaceful human being into a destructive one. For example, takfiri ideology, which was alien to and incompatible with Islam, dehumanized vulnerable individuals and drove them towards unthinkable criminal acts.

58. Violent extremism was a multidimensional issue and could be defeated only if a comprehensive plan were put in place and implemented in a coordinated manner. It could not be eliminated through military, political or economic means alone; any effective strategy must include a cultural and ideological component. It was encouraging to see community leaders, including religious scholars from all denominations everywhere, denounce violent extremism and takfiri ideology. Nevertheless, ISIS and other affiliates of Al-Qaeda continued to attract youths from around the globe. The Secretary-General's Plan of Action to Prevent Violent Extremism, prepared in response to General Assembly resolution [68/127](#), which had been initially proposed by the Islamic Republic of Iran, represented a step towards fighting violent extremism.

59. While it was important to focus on the immediate and most important drivers of violent extremism, it was also important not to lose sight of the role of foreign intervention and aggression, especially in Iraq and Syria, on the formation and growth of current violent extremist groups. Article 51 of the Charter of the United Nations, which was intended to guarantee the right of self-defence against an armed attack, was being misused to justify offensive attacks launched against Member States in the name of the fight against terrorism, in clear violation of their sovereignty and territorial integrity.

60. Lastly, the legitimate struggle of peoples for self-determination and national liberation should not be equated with terrorism. His delegation opposed any efforts aimed at prolonging the occupation of

territories or the oppression of such peoples and strongly condemned the use of force against them.

61. **Mr. Kafle** (Nepal) said that terrorism was a serious global threat that challenged the maintenance of international peace and security, disrupted social structures, endangered territorial integrity and threatened the stability and order of States. His delegation strongly and unequivocally condemned terrorism in all its forms and manifestations. At the same time, it underscored the need to adhere strictly to the Charter of the United Nations and other international instruments relating to international human rights law in seeking to combat terrorism. While there could be no justification for terrorism, it could not be eliminated without addressing its root causes. In that connection, he noted that the Secretary-General's Plan of Action to Prevent Violent Extremism called for a comprehensive approach encompassing not only essential security-based counter-terrorism measures, but also systematic preventive steps to address the underlying conditions.

62. His delegation commended United Nations efforts to counter the global menace of terrorism through numerous international instruments and Security Council resolutions. Nepal was a party to six international counter-terrorism instruments and to the South Asian Association for Regional Cooperation (SAARC) Regional Convention on Suppression of Terrorism and its additional protocol. The Government had taken seriously its obligation to implement those instruments, despite resource constraints and lack of technical capabilities. It also supported the United Nations Global Counter-Terrorism Strategy and had been implementing it. His delegation believed that the proposal to convene a high-level international conference under the auspices of the United Nations should be considered positively. It also stressed the need for an early conclusion of a comprehensive convention against international terrorism and for an agreed international legal definition of terrorism. Terrorists should never be viewed as freedom fighters.

63. Concrete collective measures to counter terrorism were needed. State capacity should be strengthened and the role of the United Nations system bolstered, while ensuring respect for the human rights of all, but women and children in particular. Action should be taken to suppress financing for terrorism and organized

crime, including through judicial cooperation, legal assistance and information-sharing.

64. **Monsignor Grysa** (Observer for the Holy See) said that the memory of the victims of terrorism and the pain of the communities and individuals who continued to suffer as a result of terrorism should give renewed urgency and momentum to the important work of the Sixth Committee. The international community could not remain indifferent in the face of terrorists' disdain for life and the unspeakable crimes they committed against women and girls. No ideological, political, philosophical, racial, ethnic or religious reason could ever justify or excuse terrorism, which violated fundamental human dignity and rights. It could only be countered through cohesive measures at the international level. The international community as a whole must deny terrorists access to cybertechnologies for the recruitment of new adherents, the financing of terrorist activities and the coordination of attacks. No one should be permitted to finance or to provide arms and ammunitions to terrorists. Those who abetted violent extremism or sheltered members of terrorist groups must be held accountable before a court of law, and all violations of international humanitarian law and crimes against humanity committed by terrorist groups must be vigorously pursued.

65. At the same time, all measures to combat terrorism must scrupulously respect human rights and international humanitarian law. In that connection, the recent decisions of the European Court of Human Rights in the case of *Al-Dulimi and Montana Management Inc. v. Switzerland* and the Court of Justice of the European Communities in the case of *Kadi and Al Barakaat International Foundation v. Council and Commission* deserved close study.

66. Counter-terrorism activities should not inhibit the capacity of governmental, non-governmental and faith-based organizations to provide humanitarian aid to vulnerable groups or persons, including refugees and displaced persons. Such activities should address the social and political conflicts that fuelled violence and deepened hatred among communities. Deep social injustices, violations of fundamental rights and freedoms, ethnic and religious discrimination and persecution and gaping social and economic inequalities created conditions that could foster radicalization. All Governments should engage with

civil society to address the challenges faced by the individuals and communities at greatest risk of radicalization and recruitment, especially young people.

67. Education played a crucial role in preventing terrorism. The Catholic Church offered education to millions of children and young people of all faiths, or of no faith, and from every economic stratum, with particular attention to those whose educational opportunities were limited or non-existent. In so doing, it strengthened societies by forming responsible, peace-loving citizens.

68. Religious leaders must take the lead in denouncing narratives and ideologies that engendered radicalization, hatred and extremism, particularly those purportedly inspired by religious injunctions or texts. Religions must unite in confronting all forms of religious bigotry, stereotyping and disrespect for what people held sacred. They should also encourage dialogue and mutual understanding. A lasting response to the crime of terrorism could not be achieved solely through military and security means; it was also necessary to cultivate a culture that fostered mutual acceptance and promoted peaceful and inclusive societies.

69. **Mr. Bamyia** (Observer for Palestine) said that even as the United Nations marked the tenth anniversary of the adoption of its Global Counter-Terrorism Strategy, the threat posed by terrorism continued to spread throughout the world, affecting millions of innocent civilians, causing instability in numerous countries and highlighting the need for a comprehensive and balanced implementation of the four pillars of the Strategy. The State of Palestine condemned terrorism and terrorist acts, including those in which States were directly or indirectly involved. While action to prevent and combat terrorism was necessary, such action must be in full compliance with international law, including the Charter of the United Nations, international human rights law, refugee law and international humanitarian law. Those who tried to justify a breach of the law in the name of security would undermine both the rule of law and security and would fuel violent extremism that could be conducive to terrorism.

70. Member States had repeatedly affirmed their determination to resolve conflicts, end foreign

occupation, confront oppression, eradicate poverty and promote economic growth and sustainable development, human rights and the rule of law, and they had also expressed the desire to improve intercultural understanding and ensure respect for all religions, beliefs and cultures, as a means of combating terrorism and achieving international peace and security. One only had to look at the current reality, particularly in the Middle East region, to see that those pledges were far from being kept.

71. It was essential to address the root causes of the spread of terrorism and extremism, including oppression, repression, discrimination and injustice. His delegation had warned repeatedly that the protracted conflict and the continuing violations of the inalienable rights of the Palestinian people could lead to a never-ending religious war, which could be exploited by extremists around the world. That threat could be avoided by ending the Israeli occupation and the dispossession of the Palestinian people in accordance with United Nations resolutions.

72. The international consensus on the need to combat terrorism should not be undermined by attempts to exploit the legitimate fight against terrorism for the purpose of suppressing the right to self-determination of peoples, especially those under colonial or alien domination and foreign occupation. The overwhelming majority of delegations represented in the Committee had at some point in history seen their nations' leaders portrayed as terrorists and their struggle for freedom equated with terrorism by the former colonial powers. Such accusations, which were aimed at delegitimizing the struggle for national liberation and self-determination, were at odds with international law, the Charter and various United Nations resolutions.

73. Terrorism could not be associated with any religion, nationality, civilization or ethnic group. It was a threat to all of humanity. Indeed, it should be remembered that Muslim-majority countries had registered the largest number of victims of terrorism in recent years. His delegation expressed its solidarity with all victims of terrorism, wherever they were. The international community had a shared duty to promote a culture of peace, tolerance and intercultural and interreligious dialogue. Respect for human dignity, pluralism and diversity could help shield communities

from the threat of terrorism, whereas discrimination, segregation and xenophobia would only foster the hatred that could lead to extremism and terrorism.

74. **Mr. Ojeda** (Observer for the International Committee of the Red Cross (ICRC)) said that terrorism negated the fundamental principle of humanity and was contrary to other principles and objectives of international humanitarian law. ICRC condemned all acts of terrorism and was deeply distressed by their devastating impact on communities and individuals. The rise of non-State armed groups engaged in acts of terrorism was a growing concern, which had led States and international organizations to react by tightening existing counter-terrorism measures and introducing new ones. ICRC did not challenge States' right to take the measures necessary to ensure their security and eliminate terrorism. Nevertheless, safeguards that protected human life and dignity must be upheld.

75. It was in the international community's interest to ensure that counter-terrorism activities were conducted with full respect for the protections afforded to all individuals under international law, in particular international humanitarian law and human rights law, as violations of those bodies of law could exacerbate the very phenomenon that counter-terrorism efforts were intended to fight. In particular, the provisions of international law relating to arrest and detention of individuals in connection with terrorism must be obeyed. Independent and neutral monitoring mechanisms such as ICRC should be granted access to such individuals, so that they could assist the detaining authorities in ensuring that detainees were treated humanely and in conformity with applicable international law and standards.

76. Laws, particularly criminal laws, relating to counter-terrorism should be drafted so as to ensure that they would not impede humanitarian action. Such action included humanitarian engagement with non-State armed groups, even when they were designated as terrorists. Criminal laws dealing with terrorism should exclude from their scope of application activities that were exclusively humanitarian and impartial. Failure to exclude such activities would imply a rejection of the notion of neutral, independent and impartial humanitarian action. It could also jeopardize the mission of impartial humanitarian organizations to

protect and assist people affected by armed conflict, particularly in areas controlled by non-State armed groups.

77. In his view, any agreement on the terms of a comprehensive convention on international terrorism should be consistent with the basic principles and definitions of international humanitarian law. Inasmuch as the convention might include armed conflicts in its scope of application, ICRC deemed it essential to include a provision regulating the convention's relationship with international humanitarian law in order to minimize overlaps and contradictions between the two. In relation specifically to armed conflicts, the convention should not criminalize actions that were authorized or not prohibited under international humanitarian law, such as attacking military objectives or persons not entitled to protection against direct attacks.

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

78. **Mr. Beras** (Dominican Republic), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that in the Political Declaration of Quito, adopted at the fourth CELAC summit meeting in January 2016, as well as in other CELAC declarations, Community members had reiterated their respect for international law, peaceful settlement of disputes, prohibition of the threat or use of force, territorial integrity and non-interference in the internal affairs of States, protection and promotion of human rights, national and international rule of law, and democracy. CELAC also supported the principle of self-determination of peoples who remained under colonial rule or foreign occupation; respect for human rights and fundamental freedoms; equality of rights for all, irrespective of gender, race, language or religion; and international cooperation to resolve economic, social, cultural or humanitarian problems and fulfil in good faith the obligations assumed by all States under the Charter.

79. The CELAC countries were also committed to working together to achieve prosperity for all and to eliminate discrimination, inequality, exclusion, human rights violations and breaches of the rule of law. They recognized the importance of the rule of law in achieving fraternal relations and equality among States

as well as in building just and fair societies. They were committed to contributing to a just and lasting peace throughout the world, in keeping with the purposes and principles enshrined in the Charter. Peace and security at the international level were essential for strengthening the rule of law.

80. The linkages between the rule of law and the three pillars of the United Nations — peace and security, human rights and development — should be further developed. The rule of law at the international level lent legitimacy and predictability to the acts of States, strengthened sovereign equality among States and provided the basis for the responsibility of States with respect to all individuals in their territories and subject to their jurisdiction.

81. CELAC welcomed United Nations activities aimed at strengthening the rule of law at the national and international levels, but considered that there was still room for improvement in order to avoid duplication and enhance efficiency. United Nations assistance should be broad in scope, covering also challenges relating to economic growth, sustainable development and the eradication of poverty.

82. The CELAC countries wished to stress the importance of continuing, as a matter of urgency, efforts to revitalize the General Assembly, strengthen the Economic and Social Council and reform the Security Council in order to make those organs more efficient, democratic, representative and transparent. It also noted the value of the reforms made in the governance structures, quotas and voting rights of the Bretton Woods institutions with a view to enhancing their effectiveness, credibility, accountability and legitimacy.

83. CELAC recognized that a commitment to the international legal framework was needed in order to ensure respect for the rule of law at the international level, where the rule of law applied equally to all States and also to international organizations, including the United Nations and its principal organs, in particular the Security Council. Compliance with the obligations set forth in the Charter and in other international instruments was essential to the collective task of maintaining international peace and security, effectively addressing new threats and ensuring accountability for international crimes.

84. Strengthening the rule of law was not an exclusive concern of certain countries or regions but a global aspiration to be governed by agreed values, principles and norms created through open, predictable and recognized processes that took into account national perspectives. Mechanisms put in place in Latin America and the Caribbean had played a significant role in promoting the rule of law among the States in the region. CELAC was committed to strengthening and promoting the rule of law through dialogue, cooperation and solidarity among its members. The Community recognized the importance of national ownership of rule of law activities and the need for a transparent legal system accessible to all, solid democratic institutions and laws, independent and impartial judicial systems and adequate redress mechanisms for human rights violations in order to provide a framework for political and social development.

85. CELAC urged States to refrain from promulgating and applying any unilateral sanctions or other economic, financial or trade measures that were not in accordance with international law and the Charter and that impeded the full achievement of economic and social development, particularly in developing countries. It also urged adherence to General Assembly resolution 70/5 and other Assembly resolutions calling for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba.

86. The rule of law and development were mutually reinforcing. Advancement of the rule of law at the national and international levels was essential for the achievement of sustained and inclusive economic growth and the full realization of human rights, including the right to development. CELAC recognized the importance of promoting access to justice for all as a means of overcoming the root causes of exclusion, in particular by promoting universal birth registration, by providing free legal aid to vulnerable populations, and by fostering dispute resolution mechanisms such as mediation and conciliation.

87. With regard to the exchange of national practices in the application of multilateral treaties, Community members welcomed the very productive Seminar on Treaty Law and Practice for the Region of Latin America and the Caribbean, held in Mexico City in

July 2016. CELAC invited States to continue holding such events, as they encouraged the sharing of practices and experiences, which was crucial to strengthening the rule of law in the international community. It also welcomed the various regional courses on international law held in 2016.

88. **Mr. Nasimfar** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that respect for the rule of law at the national and international levels was essential to the maintenance of international peace and security and the achievement of socioeconomic development. The high-level meeting of the sixty-seventh session of the General Assembly on the rule of law had been a milestone in the Assembly's discussions on the subject and its efforts to develop a common understanding among Member States. The Movement would spare no efforts in continuing those discussions in the Sixth Committee, in cooperation with other partners.

89. It was essential to maintain a balance between the national and international dimensions of the rule of law. The Non-Aligned Movement continued to believe that the latter dimension needed greater attention on the part of the United Nations. The Charter provided normative guidance regarding the basis of the rule of law at the international level. Efforts to foster international relations based on the rule of law should be guided, in particular, by the principles of sovereign equality of States, prohibition of the threat or use of force in international relations, and peaceful settlement of disputes. The principle of sovereign equality meant, *inter alia*, that all States should have an equal opportunity to participate in law-making processes at the international level. Furthermore, all States should comply with their obligations under treaties and customary international law. Selective application of international law must be avoided and the legitimate and legal rights of States under it respected.

90. The Non-Aligned Movement also encouraged States to strive to settle disputes peacefully, using the mechanisms and tools established under international law, including the International Court of Justice, treaty-based courts and arbitration. The Movement called upon the General Assembly and the Security Council to make use, whenever appropriate, of their right under Article 96 of the Charter to request advisory opinions

on legal questions from the International Court of Justice.

91. Human rights, the rule of law and democracy were interdependent and mutually reinforcing. All States should fulfil their obligations to promote universal respect for and protection of human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and other instruments relating to human rights and international law. The purposes and principles of the Charter and the principles of international law were of paramount importance for peace and security, the rule of law, economic development, social progress and human rights for all, and Member States should renew their commitment to uphold, preserve and promote them. The Non-Aligned Movement remained concerned about the use of unilateral measures, which had a negative impact on the rule of law and international relations. No State or group of States had the authority to deprive other States of their legal rights for political reasons. The Movement condemned any attempt to destabilize the democratic and constitutional order in any of its member States.

92. Member States should respect the functions and powers of each of the principal organs of the United Nations, particularly the General Assembly, and maintain the balance among them. Close cooperation and coordination among the principal organs was essential if the Organization was to remain relevant and capable of dealing with existing and new threats and challenges. The continuing encroachment by the Security Council on the functions and powers of the General Assembly and the Economic and Social Council remained a matter of concern. The Security Council should fully comply with international law and the Charter of the United Nations.

93. The General Assembly should play a leading role in promoting and coordinating efforts to strengthen the rule of law. The international community should not, however, supplant national authorities in their task of establishing or strengthening the rule of law at the national level. National ownership of rule of law activities was important, as was strengthening Member States' capacity to fulfil their international obligations, including through enhanced technical assistance and capacity-building. United Nations funds and

programmes should provide such assistance solely at the request of Governments and strictly within their respective mandates. In so doing, they should take account of the customs and the political and socioeconomic features of each country and should not impose pre-established models.

94. Appropriate mechanisms should be established to enable Member States to stay abreast of the work of the Rule of Law Unit and to ensure regular interaction between the Unit and the General Assembly. The lack of an agreed definition of the rule of law should be taken into account in the preparation of reports and in the collection, classification and evaluation of the quality of data on issues directly or indirectly related to the rule of law. The data-gathering activities of United Nations bodies should not lead to unilateral formulation of rule of law indicators or ranking of countries. Any indicators should be agreed upon by Member States in an open and transparent manner.

95. Cognizant of the importance of the rule of law within the United Nations, the Non-Aligned Movement appreciated the role of the administration of justice system in the Organization and supported initiatives to hold United Nations personnel accountable for any instances of misconduct while serving in an official capacity.

96. The Movement again welcomed the General Assembly's adoption of resolution [67/19](#), which accorded to Palestine the status of non-member observer State in the United Nations and reflected the international community's longstanding, principled support for the inalienable rights of the Palestinian people, including self-determination, independence and a two-State solution based on the pre-1967 borders. The Movement also reaffirmed its support of the State of Palestine's application for admission to full membership in the United Nations.

97. While the Movement underlined the importance of freedom of opinion and expression, as provided under article 19 of the Universal Declaration of Human Rights, it wished to emphasize that morality, public order and the rights and freedoms of others must be recognized and respected in the exercise of that freedom, in accordance with article 29 of the Declaration. Freedom of expression was not absolute, and it should be exercised with responsibility and in

accordance with the relevant international human rights law and instruments.

98. The members of the Non-Aligned Movement looked forward to engaging in discussion on national practices in the implementation of multilateral treaties and practical measures to facilitate access to justice for all, the themes of the current year's debate.

99. **Mr. Joyini** (South Africa), speaking on behalf of the African Group, said that multilateral treaties were an integral aspect of a comprehensive and robust international legal framework, as they helped to ensure that relations between States of all sizes were governed by the rule of law. Multilateral treaties enhanced universality, promoted international consensus, provided certainty and accountability in relation to the rights and obligations of States, and facilitated the peaceful settlement of disputes.

100. Access to justice was addressed in regional instruments and programmes in Africa and in the African Union's Agenda 2063. The African Peer Review Mechanism also tracked the issue. The inclusion of access to justice in the 2030 Agenda for Sustainable Development was most welcome, if long overdue. It would be critical to ensure that meaningful, appropriate and effective indicators were crafted and that they cover the full spectrum of issues addressed under Sustainable Development Goal 16, but especially under its target 16.3. Effective access to justice could be a catalyst for the eradication of poverty and inequality. Hence, meaningful indicators for target 16.3 could also contribute to the achievement of the targets for Goal 1, "End poverty in all its forms everywhere".

101. The draft indicators put forward by the Inter-Agency and Expert Group on Sustainable Development Goal Indicators for target 16.3 fell short because they failed to address the most important components of access to justice: access to justice institutions and access to legal aid and assistance. It was clear that target 16.3 comprised three objectives: enabling members of society to obtain legal assistance so that they could access the justice system in respect of both civil and criminal matters; building effective and efficient justice institutions that dealt with matters expeditiously; and promoting and protecting the rule of law. Fulfilment of the first two objectives would create confidence in the justice system, which in turn would ensure the rule of law.

102. Appropriate and effective indicators would focus on meaningful access, particularly early access to justice, including access to legal aid and/or assistance at State expense, where required, and to a fair hearing. The hallmark of any country professing to be civilized was the manner in which the State dealt with those who came into conflict with the law. Meaningful access to justice included justice in civil matters and implied an obligation on the part of the State to provide the necessary mechanisms, including access and assistance, to enable citizens to resolve private or civil disputes that arose between them. Given that the justice system was complex and foreign to most ordinary people, and that the poor faced myriad legal issues outside the criminal justice system, it was important that legal aid be made available to all those who needed it. The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems provided explicit guidance in that regard.

The meeting rose at 1.05 p.m.