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President: Mr. Jeremić (Serbia)

The meeting was called to order at 3.15 p.m.

High-level Meeting on the Rule of Law at the National and International Levels

Agenda item 83 (continued)

The rule of law at the national and international levels

The President: The Assembly will now hear an address by Her Excellency Mrs. Eveline Widmer-Schlumpf, President of the Swiss Confederation.

President Widmer-Schlumpf (*spoke in French*): As this is the first time I am taking the floor, I would like to take this opportunity to congratulate you, Mr. President, on your election. On behalf of Switzerland, I would like to thank you for organizing this High-level Meeting on the Rule of Law at the National and International Levels.

The rule of law is a basic principle that must be at the root of all our actions and endeavours to achieve lasting peace and prevent conflict. It is also a precondition for ensuring respect for human rights. Preserving the rule of law requires constant effort from which no one is exempt. No State or institution, however well-developed, can take it for granted. Quite the contrary, the rule of law needs constant care. We are here today to actively reflect on how we want and are able to strengthen the rule of law. Above all, however, we are also here to ensure that our thoughts and commitments are put into concrete action. I wish to highlight four

areas in which it seems particularly vital that we take common action.

First, in order to bring about what the Secretary-General has called the “age of accountability”, I would like to underline the fundamental role of the fight against impunity and transitional justice. That is why Switzerland is committed to working with all States Members of the United Nations to strengthen best practices in the field. Transitional justice is a crucial instrument for strengthening the rule of law in the context of massive human rights violations. The truth about violations, the adjudication of perpetrators, reparations for victims and the reform of institutions are indispensable to achieving lasting reconciliation and avoiding the recurrence of atrocities.

Words alone are not enough; we must also be ready to act decisively to ensure that perpetrators be held accountable. That is why Switzerland calls on the Security Council to refer the situation in the Syrian Arab Republic to the International Criminal Court so that the Court can investigate crimes under its jurisdiction that may have been committed by any party to the conflict.

Secondly, we must find a way to strengthen an area of the law that is particularly important to Switzerland — international humanitarian law, or the law of armed conflict. At last year’s International Conference of the Red Cross and Red Crescent, the Secretary-General of the United Nations expressed his appreciation for Switzerland’s commitment to exploring and identifying concrete means of strengthening the

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application of international humanitarian law and reinforcing dialogue on international humanitarian law issues among States and other interested actors, in cooperation with the International Committee of the Red Cross. Switzerland is greatly encouraged by the many statements of support it has received and will pursue its efforts to strengthen respect for international humanitarian law.

Thirdly, we believe that the rule of law should also apply to international organizations, particularly the United Nations. In that regard, one of Switzerland's highest priorities is ensuring that United Nations procedures are increasingly credible, legitimate and effective. In our view, this means that all United Nations organs must comply with the principles of the rule of law. That is why Switzerland remains committed to promoting the establishment of fair and transparent procedures within the Organization. It is also why we have argued for improving the working methods of the Security Council and for greater respect for the principles of due process in the Council's sanctions procedures. Only an organization that upholds the highest standards itself can be credible in promoting those standards elsewhere.

Finally, it is time to recognize the fundamental role played by the rule of law in the area of development. No society can prosper if its members lack confidence in the law or the knowledge that it will be enforced. This is especially true of societies that are emerging from armed conflict or where there have been gross violations of human rights. In that context, Switzerland emphasizes the importance of coherent action on the part of the United Nations in the area of the rule of law. We want international aid designed to support national efforts to reinforce the rule of law to be more effective, coordinated and coherent. In particular, transitional justice mechanisms must be better coordinated with strategies aimed at strengthening the rule of law. We also need to improve the capacities of Member States and promote the exchange of best practices among them. This will help us to strengthen our common commitment, while acknowledging that there is no single approach to promoting the rule of law.

As we can see, there is still much to be done. While it is certainly important to reaffirm our shared commitment to supporting the rule of law, our focus must now be on how to translate that commitment into concrete action, both at home and in cooperation with other countries. The individual and collective

pledges made today by so many States demonstrate that we all have the power to change things. Resolution 67/1, adopted today, is the first of its kind for the international community. We look forward to seeing our commitments put into practice and to measuring the impact of our joint efforts in building a more just and secure world for all, based on the rule of law. We hope that this High-level Meeting will be a starting point in our efforts to fully implement the principle of the rule of law.

The President: The Assembly will now hear an address by His Excellency Mr. Otto Fernando Pérez Molina, President of the Republic of Guatemala.

President Pérez Molina (*spoke in Spanish*): I am pleased to participate in this High-level Meeting on the rule of law. While the topic is enormously important, the time available allows us only a few comments. I should like to use those few minutes to describe how the State of Guatemala and the United Nations have joined forces to strengthen the rule of law in my country.

I am referring to the creation of the International Commission against Impunity in Guatemala, known as CICIG, a one-of-a-kind arrangement that, while born of our domestic administrative and juridical institutions, grants to the Secretary-General the power to designate its Commissioner, and grants to the Commissioner the right to recruit the international and national staff of the Commission. The Commission, which is financed partially with contributions from the international donor community, was conceived as an interim arrangement whose main purpose was to strengthen the national institutions charged with criminal prosecution, law enforcement and the administration of justice. While the agreement signed between the United Nations and the Government of Guatemala allows the Commission to act in certain instances as a complementary prosecutor in parallel with the work of the Public Prosecutor, its main function is to strengthen our security and justice systems through technical assistance, training and support.

While the Commission by its nature is independent — which is its chief strength — it should be pointed out that this independence was deliberately bestowed on it by the State of Guatemala to ensure its ability to fulfil its mandate. Up to now, the Commission has helped us to resolve various paradigmatic cases relating to transnational organized crime and bring the perpetrators of illicit activities to justice. In addition, it has transferred capacities to the office of our Public

Prosecutor, and worked closely with our judicial and legislative organs in adapting the country's legislation and standards in order to strengthen the security and justice sectors. As a important by-product of this effort, the Public Prosecutor and the Ministry of the Interior have worked closely in the areas of criminal investigation and prosecution.

Mr. Salam (Lebanon), Vice-President, took the Chair.

In conclusion, an example of close cooperation among our State institutions was offered in a meeting held in this same building barely two weeks ago, when the presidents of the judicial and legislative organs and the Vice-President of the Republic of Guatemala, together with the Commissioner of the CICIG, the Public Prosecutor and the Ministers of the Interior and of Foreign Affairs, came together to affirm the commitment and programme of work of the Commission for the coming year, and to prepare the groundwork for a possible two-year extension. We therefore believe that Guatemala, with the help of the United Nations, has a success story to present in the area of strengthening the rule of law.

I would be remiss in not thanking Mexico and Denmark for their outstanding roles as facilitators in guiding our efforts towards the high-level Declaration (resolution 67/1), adopted this morning, which we fully support.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Narayan Kaji Shrestha "Prakash", Deputy Prime Minister and Minister for Foreign Affairs of the Federal Democratic Republic of Nepal.

Mr. Shrestha (Nepal): My delegation wishes to express its sincere appreciation to the President of the General Assembly for organizing this important High-level Meeting on the Rule of Law at the National and International Levels. I hope that the Declaration that we adopted today (resolution 67/1) will be able to advance our commitment and responsibility for upholding the hopes and aspirations of billions of people yearning for a more just, equitable, inclusive and prosperous world.

The concept of the rule of law, which is indelibly linked to democracy and fundamental freedoms, evolved over the course of the historical development of human society in its struggle against feudalism and autocracy. The rule of law is important for the protection of the rights of individual citizens in relation to the State and

members of one society in relation to those of others, and for implementing a sound framework of inter-State relationships in the globalized world. More important is that the rule of law should prepare the basis for human society to proceed towards the realm of freedom, ending all forms of exploitation of men by men. We firmly believe that ensuring the rule of law at the international level has as much importance as it does at the national level because it provides essential tools and principles for peaceful coexistence and cooperation among States.

The rule of law, however, should not be used as a cover for domination of one country by another. Practising a double standard in its application should be avoided. When we endeavour to establish the rule of law at the international level, it is extremely important to create a level playing field where all States can participate in an equitable manner. The accumulation of wealth amidst despicable poverty and an absence of resources at the cost of the very existence of our planet cannot be in line with the rule of law.

Nepal believes that the United Nations is the most well-placed and legitimate multilateral institution to promote the rule of law at the national and international levels. Having been established in principle and enshrined in the Charter of the United Nations, international law and the promotion of multilateralism in handling all international issues of common concerns play a pivotal role in the promotion of the rule of law in a plural context.

Nepal places high importance on the revitalization of the General Assembly to make it the most legitimate and competent organ for the development of international norms, standards and legal instruments. Nepal remains committed to promoting the rule of law at the international level by adhering to the Charter of the United Nations and fulfilling its obligations emanating from international treaty bodies to which it is a party.

The rule of law at the national level is more important for countries emerging from conflict, where the strengthening of administrative law enforcement, judicial institutions and other governance mechanisms must be accorded top priority. An enhanced level of international support under the aegis of the United Nations would help such countries in grappling with the establishment of an environment conducive to encouraging and ensuring the rule of law. National ownership and capacity-building need to be at the core of our efforts as we seek to establish and sustain the

necessary legal and institutional infrastructures. The rule of law must seek to promote inclusive, just and equitable societies if we are to address the root causes of conflict, such as poverty, exclusion, marginalization and deprivation in the political, economic and social spheres.

Nepal is committed to strengthening the rule of law at the national level as part of its historic transformational process. In fact, the historic struggle of all the Nepalese people, entailing the sacrifice of thousands of lives, was for the purpose of establishing the rule of law along with equity and justice. Thus, Nepal is committed to ensuring the rule of law, the promotion and protection of human rights, and ending impunity.

The provisions of the Comprehensive Peace Accord signed in 2006, which was a key turning point in our home-grown peace process, and the interim Constitution, which is a transitional justice mechanism necessary to take the peace process to its logical conclusion, were the outcomes of broad consultations among stakeholders. They meet the national and international requirements for durable peace, justice and reconciliation in a holistic manner. I hope that the international community, which is very supportive of our peace process, understands the sensitivity of that process and our main task to end the conflict forever. Nepal has ratified major human rights instruments, including seven out of nine core human rights instruments, in recent years. A number of initiatives have been taken to reform governance and establish the rule of law.

In Nepal, the National Human Rights Commission is a designated constitutional body working as a warden of human rights protection and promotion. The capacity of the institution is being built as a real custodian of human rights for all the people. A mechanism for effective adjudication of the decisions and recommendations of the National Human Rights Commission and judgements of the Supreme Court have been established at the Office of the Prime Minister and Council of Ministers.

Reforms in legal aid, judicial reform, reforms in police laws, and a number of other reforms and amendments to legislation that were deemed discriminatory have come into effect. Other important initiatives, started with earnest objectives, are under way. For least developed countries emerging from conflict, an enhanced level of support with adequate resources, know-how and technical capacity-building

are needed in a coordinated and coherent manner to strengthen the rule of law.

The international community should deliver effective support measures to promote national ownership and capacity-building for those countries, for the advancement of the rule of law. I also call for adherence to multilateralism and respect for the guiding principles and standards of international law at the international level.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Miroslav Lajčák, Deputy Prime Minister and Minister for Foreign Affairs of the Slovak Republic.

Mr. Lajčák (Slovakia): It is a distinct honour and pleasure for me to address the Assembly at the outset of its sixty-seventh session. This High-level Meeting on the Rule of Law at the National and International Levels provides us with an excellent opportunity to share our views and experiences on the rule of law, as a core principle of governance that ensures justice and fairness, which are values essential to humankind today and in the future. Slovakia fully subscribes to the statement delivered by the observer of the European Union earlier today.

The foreign policy of Slovakia is based on respect for core democratic values, international law and effective multilateralism. We therefore welcome and support the convening of this meeting on the rule of law. This topic is even more important in being based on the presumption of governance in which all stakeholders, persons, public and private institutions and entities, and States themselves are accountable to laws publicly promulgated, equally enforced, independently adjudicated, and consistent with international norms and principles. At the international level, it is of the utmost importance to ensure the equality of States, full compliance of their actions with international law, and their responsibility to individuals on their territories and under their sovereignty.

On the other side, at the national level, the rule of law is a key principle that interacts with society at every level, guarantees the protection of human rights and the fair resolution of disputes between individuals, and provides legitimate tools of recourse in case of abuses of power. Slovakia is fully committed to respecting the general legal principles enshrined in the United Nations Charter, including sovereign equality, the peaceful settlement of international disputes and refraining

from the threat or use of force against the territorial integrity or political independence of any State. It is also committed to fulfilling its obligations arising from various international instruments.

Ensuring national implementation of the existing international legal framework remains today's challenge. States are facing different obstacles in ensuring that implementation at the national level, thus contributing to non-compliance with their international obligations. Therefore, we commend the readiness of the Secretary-General to provide an integrated response to requests of States for assistance in that area.

Furthermore, an eminent part of the principle of the rule of law is to ensure the existence of adequate adjudicative mechanisms whereby States can make their claims in case of disagreement. In that regard, any international dispute among States should be resolved by means of peaceful settlement. The key role of the International Court of Justice, the principal judicial organ of the United Nations, should be strengthened through acceptance of its compulsory jurisdiction by all States Members of the United Nations. The Court's jurisprudence in contentious cases and advisory proceedings contributes to the development of international law and the maintenance of international peace and security. Slovakia strongly supports the application of that principle in conflict and post-conflict situations, where the rule of law is indispensable both to the restoration and the maintenance of peace and stability and to the establishment of integral governmental systems and well-functioning public institutions, including in the spheres of justice and security.

While addressing the topic of the rule of law, we cannot forget to stress the importance of strengthening the international human rights legal framework. In particular, the most vulnerable among us deserve our attention. Slovakia, as a strong promoter of the protection of human rights, was one of the main initiators of the adoption of the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was opened for signature in February this year. That Protocol not only represents a new juridical instrument that will strengthen and broaden the implementation, recognition and representation of the rights of the child, but also constitutes a new remedy for children to invoke their rights. It will provide individual children with the opportunity to submit complaints on the violation of

their rights to the Committee on the Rights of the Child after the exhaustion of local remedies, or directly, when national mechanisms for such complaints are not in place or inefficient. We call on all United Nations Member States to become parties to the Protocol.

In that regard, I would like to report that Slovakia has joined other States that have submitted their national pledges with the aim of strengthening their support of the rule of law. Slovakia undertakes to ratify by the end of 2013 the Optional Protocol of the Convention on the Rights of the Child on a communications procedure and the Council of Europe Convention on preventing and combating violence against women and domestic violence. In addition, Slovakia will strengthen its legal and institutional framework in order to recognize women's right to be free from all forms of violence and discrimination, in compliance with international human rights law. Furthermore, Slovakia fully supports the fight to end impunity for perpetrators of the most serious crimes under international law, such as genocide, war crimes and crimes against humanity.

Our everyday life confirms that abuses of law occur both at the national and international levels. Those cases very often arise at the expense of justice. I wish to raise a question. Has the time not yet come to focus our joint efforts on the further enhancement of the principle of the rule of justice, since it forms an equal and indivisible part of the rule of law? Our common ambition for the future is not only the pragmatic application of the rule of law in individual cases but more importantly strategic compliance with that principle, which goes hand in hand with the principle of the rule of justice. Slovakia is prepared to contribute actively to effective discussion in that regard.

The Acting President (*spoke in Arabic*): I now give the floor to Her Royal Highness Princess Bajrakitiyabha Mahidol of the Kingdom of Thailand.

Princess Bajrakitiyabha Mahidol (Thailand): I have the honour to speak on behalf of the 10 nations of the Association of Southeast Asian Nations (ASEAN). Due to time constraints, the full statement is being distributed.

With the entry into force of the ASEAN Charter in 2008, ASEAN is now becoming a rules-based, people-centred community. The Charter clearly expresses the group's firm commitment to enhancing the rule of law, good governance, democracy and constitutional government. Adherence to the rule of

law is a core principle under the Charter that binds all ASEAN member States. ASEAN leaders recognize the crucial role of the rule of law in ensuring justice, equality, stability and sustainable prosperity, and, at the international level, respect for the fundamental principles of international law, including that of the sovereign equality of States.

ASEAN countries reiterate their commitment to implementing their obligations under international treaties to which they are party. The institutional and legal framework of ASEAN has been strengthened through the adoption of a number of legal documents and mechanisms. ASEAN strengthened its cooperation with the United Nations through the adoption of the Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations in 2011, aimed at expanding cooperation in areas including human rights, good governance, democracy and the rule of law through consultation, information-sharing and capacity-building.

I shall now deliver the following Thai national statement. My delegation fully supports the convening of this High-level Meeting, which demonstrates the international community's commitment to promoting the rule of law and the major role that the United Nations plays on this important subject. For Thailand, the rule of law is an indispensable foundation of a more peaceful, prosperous and just world as it provides an essential framework for our societies, domestically and internationally.

The Constitution of Thailand provides that the human dignity, rights and liberties, as well as the equality, of the people shall be protected and that they are entitled to equal protection before the law, irrespective of race, gender or religion. In 2011, the Thai Government set up an Independent National Rule of Law Commission to ensure that all State organs perform their duties based on the rule of law.

In addition, Thailand reaffirms the importance of mainstreaming gender sensitivity and a rights-based approach into the criminal justice system. In too many societies, women are subject to discrimination, both overt and subtle. That is why we believe it is important to integrate such an approach into criminal justice systems.

Two years ago, we launched the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, or the

Bangkok Rules. Thailand is determined to implement those rules in correctional facilities throughout the country. We hope to share our best practices with other countries for the benefit of female inmates around the world. We are also determined to implement the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

At the international level, Thailand is firmly committed to complying with all treaties to which it is a party, especially with respect to the seven major international human rights treaties.

Thailand recognizes the rule of law as an essential element in addressing issues of global concern such as corruption, transnational organized crime, terrorism, drug trafficking and trafficking in persons. We also attach importance to the promotion and protection of the rights of the child and access to effective remedies based on the rule of law. I am therefore pleased to report that, at the treaty event to be held tomorrow, Thailand will sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

Addressing the link between crime and development is important in promoting the rule of law. Crime hinders sustainable development, but development can help reduce crime. Sustainable alternative development is one example: strengthening community capacity to develop alternative, legitimate means of income has helped reduce opium cultivation. The rule of law and sustainable socio-economic development are thus two forces that work together for the betterment of society.

In that connection, Thailand invites all Member States to consider supporting the General Assembly draft resolution entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking". That will send a clear message to the effect that the robust rule of law is needed to rid the world of crime while promoting sustainable development and peace.

Strengthening the rule of law is our common responsibility. Let us all work to fulfil that goal by promoting the rule of law at the national and international levels under the United Nations umbrella to bring about a just world.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Jean Asselborn, Deputy Prime Minister of Luxembourg.

Mr. Asselborn (Luxembourg) (*spoke in French*): We are gathered here today for an event whose importance cannot be overestimated. The High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels is indeed the first of its kind, and we are grateful to the Secretary-General for having launched this important initiative.

As the Secretary-General points out in paragraph 1 of his report (A/66/749) on strengthening the rule of law, in the face of the innumerable challenges that our world is confronted with today, “robust principles are needed to underpin the management of our future”.

In order to provide the broadest possible foundation, such robust principles must overcome our ideological, cultural and confessional divides. The rule of law takes a central place in this approach; it is understood as a principle of governance in which all persons and institutions, including the State itself, are accountable to laws that are consistent with human rights.

The rule of law applies to both the national level and the international level. Those two levels are not in contradiction; they complement each other. The State remains the cornerstone of that system, which is why it bears a particular responsibility for the implementation of the rule of law. At the same time, the principle of the rule of law predicates the peaceful coexistence of nations, and it is thus only natural that this forum — the United Nations — should be the platform for giving the necessary impetus to strengthening the rule of law.

For the sake of coherence, our Organization must first apply to itself the remedy that it advocates. In both their policies and activities, United Nations bodies must respect the entirety of the rules of international law.

Finally, civil society, too, has an important role to play. It is paramount that civil society be associated with the strengthening of the rule of law wherever it can provide added value.

The rule of law is a cross-cutting principle; it underpins a large number of activities that concern a multitude of stakeholders. It is not possible to list them all, so I shall give only a few examples. This year, as we are celebrating the tenth anniversary of the entry into force of the Rome Statute, I would like to raise the issue of the importance of the International Criminal Court

and its crucial role in the fight against impunity for the most serious crimes, namely the crime of genocide, crimes against humanity, war crimes and the crime of aggression. I am pleased to announce that Luxembourg has pledged to complete, by early next year, the process of the ratification of the amendments to the Rome Statute contained in the resolutions adopted at the June 2010 Kampala Review Conference. Those amendments have already been implemented in our penal code.

We also highly value the role of the International Court of Justice. Luxembourg was one of the very first States to recognize the jurisdiction of the Court as compulsory.

Strengthening the rule of law is particularly important for countries emerging from conflict. In order to ensure sustainable peace, the State must restore the trust of its citizens and create an enabling environment in which the rights of all are respected and protected. In that context, Luxembourg pledges to continue supporting the Peacebuilding Fund by contributing at least 1 million euros for the period 2012-2014.

I have stressed the role of Member States in strengthening the rule of law. International rules and norms may well exist, but it is up to Member States to implement them by ratifying the relevant international treaties. I would like to take this opportunity to announce that Luxembourg pledges to ratify, as soon as possible, the third Optional Protocol to the Convention on the Rights of the Child, on a communications procedure.

In the Declaration (resolution 67/1) adopted this morning (see A/67/PV.3), which was so ably facilitated by the Permanent Representatives of Denmark and Mexico, we solemnly reaffirm our commitment to the rule of law. It is my hope that this High-level Meeting will provide the impetus for proactive collective action in order to give the strengthening of the rule of law its rightful place in a transparent and just global governance for the future.

The Acting President (*spoke in Arabic*): I now give the floor to Mr. Eric Holder, Attorney General of the United States of America.

Mr. Holder (United States of America): I am honoured to represent the United States at this historic meeting on the rule of law, and I want to thank all of the leaders gathered here for bringing their voices, their perspectives and their commitment to this very critical discussion.

History has proved that the establishment and the enforcement of the rule of law is essential in protecting the security and civil liberties of our citizens, in combating violent crime, public corruption and terrorist threats, and in strengthening civil society. In recent days, we have been reminded, in the most painful and tragic of ways, of just how vital the rule of law is to ensuring freedom, opportunity, justice and peace.

I am here to pledge not only the commitment of the United States to these principles, but also our support for the robust efforts of the United Nations to strengthen the rule of law worldwide.

I would like to assure all participants that my colleagues and I are determined to stand with Member States and with any nation that strives to ensure integrity, to foster innovation and to create opportunities for prosperity and progress. We will also stand with those Governments that cherish the benefits of a free, fair and open society and that seek to eradicate the corrupt and abusive activities that can weaken political institutions, threaten the democratic process, undermine the strength and promise of civil society, and diminish the quality of life for countless individuals, families and communities. We must all truly serve the people whom we are privileged to represent.

From our national systems to the United Nations work in advancing the goals of international peace and security, human rights for all people, including women, lesbian, gay, bisexual and transgender individuals and persons with disabilities, economic development and job creation, we have seen time and time again that there is a strong link between fostering democratic values and supporting the rule of law. In recent years in particular, our commitment to the rule of law has helped to inform, augment and re-energize our work in confronting a range of challenges: from fighting crime, corruption and terrorism and promoting global security and good governance to ensuring equality and fair opportunity for all.

Today's meeting underscores the fact that such work must remain at the centre of how nations approach development, especially in conflict-affected or fragile States. As the World Bank's recent *2012 World Development Report* highlighted, it also reaffirms that, in today's world, the greatest threat to development and recovery is a weak rule of law.

That is why the promise that we have gathered to fulfil and the pledges that we are here to make are and

must continue to be a top priority. It is also why I am proud to say that, at the international level, the United States will continue to support United Nations-led efforts to expand access to legal aid, to more effectively combat drug trafficking and organized crime alongside our international partners, and to build on United Nations initiatives in the rule of law sector that focus on conflict and post-conflict situations.

Within our own borders, particularly as we approach the fiftieth anniversary of the United States Supreme Court decision guaranteeing indigent criminal defendants the right to counsel, the United States also pledges to take steps to improve access to justice for those who cannot afford representation. Additionally, we are committed to launching a new domestic violence prevention initiative, strengthening safety net programmes that help increase the availability of legal aid, and enhancing our focus on protecting the essential rights of women, as well as girls.

In those and our other efforts to strengthen the rule of law and to encourage cooperation on an international scale, from our work together under the landmark United Nations conventions against crime, terrorism and corruption to our capacity-building, prosecutorial training and regional assistance efforts, the Department that I am privileged to lead and the nation that I am honoured to serve are proud to stand with the leaders in the Hall. Like those present, we approach the challenges before us with resolve, humility and an eagerness to reinforce old friendships and to forge new ones. We are eager to join Member States as true and equal partners in driving this critical work into the future.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Nikola Poposki, Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia.

Mr. Poposki (former Yugoslav Republic of Macedonia): I join other speakers in welcoming this high-level debate aimed at streamlining international efforts to strengthen the rule of law at both the national and the international levels. I would also like to join others in welcoming the Secretary-General's report to the General Assembly of 16 March (A/66/749) and the proposals contained therein, inter alia, for the General Assembly to adopt a programme of action for the rule of law, to agree to a process to develop clear rule of law goals and to adopt various mechanisms to enhance stakeholder dialogue on the subject, including

developing corresponding benchmarks and indicators to measure progress.

The Republic of Macedonia is fully committed to the purposes and principles of the United Nations Charter and international law. We firmly believe that an international order based on the rule of law is a prerequisite for a more just and prosperous world and to ensuring peaceful relations among States and their peaceful settlement of disputes. In that regard, United Nations States Members and the Organization's principal organs share the same responsibility to abide by the principles enshrined in the Charter.

Ensuring a stronger rule of law at the international and national levels entails creating mechanisms to strengthen international adjudicative dispute resolution, in particular the role of the International Court of Justice as the principal judiciary organ of the United Nations, by ensuring the effective implementation of its decisions by all parties concerned. The Republic of Macedonia clearly supports respecting international commitments and the judgements of the Court.

Furthermore, we support the recommendation of the Secretary-General that, for the International Court of Justice to strengthen its role in international relations and to increase the legitimacy and compliance of actions taken by the principal organs of the United Nations with international law, where appropriate, those bodies should make greater use of the ability to request advisory opinions from the Court so as to ensure that the international legal system is equally accessible and that international law is not selectively applied.

The Republic of Macedonia supports the efforts of the Secretary-General to launch a campaign to increase the number of Member States that accept the compulsory jurisdiction of the International Court of Justice, pursuant to Article 36 of the Statute. By accepting its compulsory jurisdiction, my country is fully aware that such optional declarations are the best way to ensure that international disputes are settled peacefully in accordance with international law.

My country welcomes the Declaration that we have adopted at this High-level Meeting, which was drafted in an extensive and inclusive consultative process over the past couple of months (resolution 67/1). The Declaration is action-oriented and provides a comprehensive platform for further activities to be carried out at international and national levels to strengthen the rule of law and its impact on the three

main pillars of United Nations action — peace and security, human rights and development.

Let me conclude by quoting Thomas Hobbes: "Ignorance of the law is no good excuse, where every man is bound to take notice of the laws to which he is subject." The same applies to States.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Enrique Castillo, Minister for Foreign Affairs of the Republic of Costa Rica.

Mr. Castillo (Costa Rica) (*spoke in Spanish*): I come to this meeting today to reiterate the unwavering commitment of Costa Rica to the rule of law as the norm that anchors democratic life, a driving force for human rights, a key factor in development, a guiding instrument for peaceful coexistence among peoples and nations and the cornerstone of the multilateral system. I also come with the commitment to continue cooperating with the United Nations to promote the rule of law at the national and the international levels. That objective is a priority of our society and of our foreign policy.

We are satisfied that, following intense and constructive negotiations, today's meeting has adopted an outcome Declaration (resolution 67/1), on which, as Member States, we can all agree. Costa Rica had greater ambitions for the Declaration's content, yet we accept it nonetheless with satisfaction, recognizing that it represents a clear step forward in this matter. It is, moreover, a base on which we must continue to build, within the Organization and, above all, within our respective countries.

I would like to recognize and thank the intense, transparent and effective efforts undertaken by the co-facilitators of the document, Ambassadors Luis-Alfonso de Alba of Mexico and Carsten Staur of Denmark. We would like to welcome yet again the programme of action to strengthen the rule of law at the national and international levels, presented by the Secretary-General in his report (A/66/749). In that respect, the work of the Secretariat and in particular its Rule of Law Unit has been pivotal. However, very little could be achieved without the participation and conviction of Member States.

For Costa Rica, national law is the explicit manifestation of our social contract as an unarmed democracy and defender of human rights. International law, in turn, is the foundation of our external security and the cornerstone of our relations with other

countries. The local and global dimensions of legality are indivisible. Hence, the synergy between the national and international rule of law must go beyond the ratification of multilateral agreements. That synergy also requires the development of domestic legislation and institutions in order to strengthen democracy, promote peace, respect human dignity and drive development that is dynamic, sustainable and inclusive.

Achieving consistency between obligations under international conventions and national laws and practices is the responsibility of all States. The Constitution of Costa Rica grants international human rights instruments constitutional rank. Furthermore, our constitutional jurisprudence confers on those instruments a supra-constitutional value, insofar as they grant greater rights or guarantees. In 1973, our country accepted the compulsory jurisdiction of the International Court of Justice, the highest body for the peaceful settlement of disputes between States. Today we reiterate our trust in the Court and recall that abiding by its decisions, fully and without exception, is an obligation of every State, emanating from the Charter of the United Nations.

Democracy is the philosophical foundation that legitimizes constitutional and legal norms. Freely elected parliaments are its principal bulwarks, as representatives of the principle of popular sovereignty. Compliance with norms should be equally applicable to all citizens and entities. No one should be above the law, and leaders have a particular duty to fulfil those norms and be accountable for their actions. Transparency is part of legality.

Impunity, however, is a mockery of the rule of law, and that mockery is an offence to justice when the worst crimes against humanity go unpunished. Costa Rica is therefore profoundly committed to the International Criminal Court, which is one of the greatest achievements of the multilateral system since the creation of the United Nations.

The universal values of justice provide not only a conceptual basis for the organization of States, but they are also a necessity for every human being and all peoples of the United Nations. We must focus our attention, our commitment and our work towards them. Costa Rica reiterates its commitment to do just that.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Didier Reynders,

Deputy Prime Minister and Minister for Foreign Affairs and Institutional Reform of the Kingdom of Belgium.

Mr. Reynders (Belgium) (*spoke in French*): The rule of law, human rights and democracy are inextricably linked and are mutually reinforcing. They lie at the very heart of the values and principles of the United Nations. While being a value and goal in itself, the rule of law is also an instrument guaranteeing the sustainability of our other core values: human rights and democracy. The rule of law is, therefore, decisive in strengthening the three pillars of our Organization, namely, peace and security, economic and social development and human rights.

With regard to international peace and security, every day the news reminds us of the human cost of failure to respect international rules and norms. Do we need reminding of the intolerable suffering inflicted by the Syrian regime on its own population? Those despicable acts are an insult to the global conscience. International law must be respected and applied by all. Otherwise the international community, including the Security Council, must assume its responsibilities.

I call on all parties to conflicts to respect international humanitarian law in all circumstances and to refrain in particular from any forms of violence against women and children and sexual violence. Just a few weeks ago I witnessed at first hand the unspeakable suffering of the populations in the combat zones of the Democratic Republic of the Congo and in the Great Lakes region. Strengthening the rule of law is, in my opinion, a key component of preventing conflicts and mass atrocities.

In that connection, one of the most crucial responsibilities of each State is to protect its own population from the most serious crimes. But the rule of law, including transitional justice, plays a defining role in creating lasting peace in post-conflict situations. There can be no sustainable development without genuine rule of law. Businessmen and investors need legal security and a climate conducive to business. If corruption reigns and justice cannot function independently, then the economy cannot develop.

The economic and social costs of the law of “might is right” are enormous. Such exercise of power does nothing but cripple the economic progress of societies. That is why Belgium wants that facet of the rule of law to be clearly reflected in the post-2015 international development agenda. Well-established rule of law is

indispensable to achieving equitable, inclusive, just and lasting economic growth. In that respect, the rule of law specifically means establishing robust institutions accessible to all, operating with transparency and guided by just laws. That requires the adoption and implementation of stable, predictable social and commercial legislation that stimulates business and employment.

The rule of law is fundamental to respect for human rights. The many treaties and conventions are safeguards for setting the rules of the game and protecting the most vulnerable in our societies. The prescriptive role of the United Nations should be noted in that context. But there is no doubt that what is important is the specific application of the law. More and more citizens worldwide have the right to freely choose their representatives. That must be commended. However, true rule of law cannot be confined to only election day. It involves a process where election day is but the culmination. In that context, I condemn any attempt to call into question the system of checks and balances.

In all of those spheres we, as political leaders, bear a major responsibility. It is our duty to ensure respect for and strengthening of the rule of law in all its dimensions, both in our own societies and in international relations. Belgium therefore thanks the Secretary-General for having placed this key question high on the General Assembly's agenda. His excellent report (A/66/749) has provided us with an ambitious vision of a more just world. My country supports that vision unconditionally. However, we regret that the outcome document (resolution 67/1) does not fully reflect the proposed level of ambition.

It is our fervent hope that the mobilization generated by the high-level event can receive concrete follow-up within the United Nations system and, above all, on the ground. Along those lines, Belgium has answered the call of the Secretary-General and has drawn up 17 specific commitments in the field of rule of law.

While fully associating myself with the statement made by the President of the European Commission, Mr. Barroso, on behalf of the European Union, I would like to conclude my intervention by reaffirming Belgium's commitment in the fight against impunity. The International Criminal Court has shown that it can contribute to the inauguration of the age of responsibility. Cooperation of all States with the Court is vital. Belgium is committed to ratifying by 2015 the

amendments adopted in Kampala. I call on other States parties to do likewise.

By virtue of the complementarity that underpins the Statute of the Court, States bear primary responsibility for prosecuting the perpetrators of the most serious crimes. With a view to contributing to efforts to enhance national capacities in that respect, Belgium, with Slovenia and the Netherlands, proposes to improve the international framework for judicial aid and extradition through the negotiation and adoption of a new international legal instrument. I call on the comity of States to support that initiative. Belgium remains ready to cooperate with the United Nations and other Member States, through strengthening the rule of law at all levels, to build a more just, more prosperous, more peaceful and more humane world.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Titus Corlăţean, Minister for Foreign Affairs of Romania.

Mr. Corlăţean (Romania): It is a great honour for me to address some of the key aspects of the topic chosen for the High-level Meeting this year: the rule of law. As a lawyer and former minister of justice, I am personally attached to this value.

It is Romania's firm belief that respect for and promotion of the rule of law are outstanding objectives that must guide all our endeavours. At the national level, the rule of law translates, on a conceptual basis, the need for a stable and predictable legal and constitutional framework respected by all actors of society and guarded by an independent justice system. At the international level, the concept of the rule of law creates an adequate framework for political dialogue, cooperation, peace and security.

Allow me to share certain aspects of Romania's experience in strengthening the rule of law.

Over the past two decades, we have been engaged in steadfast endeavours to promote and consolidate the principles encompassed by the concept, such as supremacy of law, separation of powers, equality before the law, accountability to the law, legal certainty and transparency. This process is continuing, with a focus on furthering the implementation of these fundamental principles. It is our firm commitment to strengthen the rule of law, building upon the results obtained so far, in order to achieve more social justice and to ensure sustainable development of society as a whole. I have

chosen four directions of action that can prove our determination.

The first is to fight corruption and promote integrity. Although the process is long-term and comprehensive, I can state that just recently, stronger legislation to promote public integrity and the comprehensive 2012-2015 National Anti-Corruption Strategy have been adopted.

The second direction is the stability and predictability of the legal framework. An important result of Romania's ambitious legislative agenda is the adoption of four new codes in criminal and civil law, in view of the need to modernize the judicial process and enhance legal certainty.

The third direction, and maybe the most important, is the independence of justice. Today, I am more convinced than ever that an independent and reliable justice system is of utmost importance for the functioning of the State. Recent debates in our country have shown that full compliance by all legal and political actors with the decisions of the highest court, the Constitutional Court, is the fundamental pillar of a democratic society based on rule of law.

The fourth direction, transparency towards citizens and civil society, has been highlighted as one of the basic principles of the Government's 2012 Programme.

I wish to continue by sharing Romania's view on the concept of the rule of law at the international level. The rule of law contains significant relevant elements that regulate the conduct of relations among States and constitutes a core, universal and indivisible value of the United Nations. States must comply with their obligations arising from the Charter of the United Nations, treaties and customary international law, thus ensuring predictability in international relations.

I commend the recent report of the Secretary-General (A/66/749). I consider that each and every recommendation it contains is very important for achieving tangible progress in the United Nations agenda on the rule of law. It is our firm belief that in the efforts to consolidate the rule of law, the role of the international courts and tribunals should also be strengthened.

The role of the International Court of Justice in promoting the rule of law, through applying the principles and norms of international law and thus contributing to friendly relations among States and

to peace and stability, is undisputed. Romania, for its part, is a firm supporter of the Court. I am happy to announce our intention to initiate an internal debate concerning the possibility of accepting the compulsory jurisdiction of the Court.

I would like to recall the words of one of the greatest Romanian diplomats and jurists of the interwar period, Vespasian V. Pella, who contributed greatly to the idea of a permanent international criminal court and to the foundation of international criminal law. As early as 1925, Vespasian Pella stated that,

(spoke in French)

“the fundamental axiom so often repeated, that criminals exist and will always exist in national societies as well as within international societies, confirms to us the need for an international criminal policy.”

(spoke in English)

Today it appears more evident than ever that consolidating the International Criminal Court and enhancing its universality are the necessary means for fostering a preventive approach towards compliance with the most important norms of international law. It is our belief that the role of the United Nations is and should remain central in boosting the efforts of Member States in strengthening rule of law at the global level.

I also wish to underline the need for a cross-thematic dialogue on the rule of law within the General Assembly in pursuit of greater coherence in future United Nations activities related to the rule of law.

I also welcome and support the Secretary-General's initiative to create a United Nations platform for voluntary pledges, and I would like to announce Romania's pledges.

I can only conclude by remarking on the dynamism of the concept of the rule of law, which is, in essence, the result of significant historic evolutions in the field of cooperation among States in a desire to ensure peace and security, stability and prosperity, as well as a great respect for human rights.

As a European Union member State, we align ourselves with the statement delivered earlier today on behalf of the European Union.

The Acting President *(spoke in Arabic)*: I now give the floor to the representative of the Republic of the Sudan.

Mr. El-Nor (Sudan) (*spoke in Arabic*): Allow me to speak on behalf of His Excellency Mr. Ali Ahmed Karti, Minister for Foreign Affairs of the Republic of the Sudan. It is my pleasure to address Member States at this High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, which voices the concerns of the world's leaders with regard to the law and the principle of justice, in addition to the collective efforts that are being made with a view to promoting the rule of law at the national and international levels.

The Sudan believes in the importance of the rule of law as a principle of governance whereby all individuals and institutions are on equal footing under the absolute authority of independent justice. The Sudan has experienced several legal and legislative developments in recent years. Those changes have shown that the State and society are moving towards enshrining the culture of peace and the importance of law at the international and national levels in order to consolidate peace, justice and respect for human rights, with a view to peacefully resolving differences in all their aspects while respecting justice. Those changes helped us to adopt a transitional Constitution in 2005, as well as laws ensuring respect for international legal norms.

The legal political parties in the Sudan are working intensively and in broad consultations with various sectors of Sudanese society, both with the Government and with civil society, with a view to achieving a permanent constitution in the light of the recent political developments in our country, including the separation of South Sudan. Through a new a constitution, we seek to enshrine the values of freedom and the rule of law, in addition to the independence of the justice system and the protection of human rights, while respecting norms, conventions and international agreements through international law. We are pleased to say that we have always been an effective actor at regional and international levels in various fields, above all when it comes to human rights conventions and combating terrorism and corruption, as well as with regard to arms conventions and nuclear proliferation instruments. We have incorporated most of those conventions into our national law through legislative action.

We are endeavouring to improve legislative performance and legal training through strategies to improve traditional justice mechanisms. That is taking place concurrently with the work of the State and while

focusing on the more vulnerable groups by allowing them to have equal access to justice.

With regard to promoting the rule of law at the international level, we believe in the importance of respecting international law and its principles. We stress the principles of the Charter of the United Nations. We believe in the right of the State to guarantee justice and its sovereignty. We also believe in the importance of the peaceful settlement of international disputes. We stress the role of the International Court of Justice, whose role we must promote. Regional and international cooperation, on the basis of the principles of national sovereignty and renouncing unilateral actions taken by some States against others, is of fundamental importance. Such action is considered a violation of international law. We reiterate the importance of reforming international institutions, including the United Nations. We need to promote the principles of transparency and democracy through the participation of the States in the adoption of resolutions. In that regard, we must improve the adoption of resolutions in the Security Council. The Council must play its role in upholding international security. Avoiding those principles only exacerbates international conflicts.

We meet today to promote the rule of law and justice. We endorse what was said by those countries that voiced their concerns about the politicization of international justice and the use of the principles of justice as a means of fomenting political conflict between States with a view to sanctioning the weak and ignoring violations committed by the strongest.

I wish to make an appeal for this occasion to be a call for support for the oppressed, those living under the yoke of occupation in many parts of the world, especially in Palestine. We support equality for all before the law.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Pascal Canfin, Minister Delegate for Development of France.

Mr. Canfin (France) (*spoke in French*): On behalf of France, I welcome the initiative taken by the General Assembly to organize this first High-level Meeting on the Rule of Law at the National and International Levels. As underscored in the Declaration adopted today (resolution 67/1), this event concerns all individuals, institutions, public and private entities and the State itself. It will have made it possible to show that there is international consensus on the following

fundamental principles: the right of all citizens to equal protection before the law, without any discrimination, and the responsibility of the State and of Governments, which must be accountable to their peoples.

On behalf of France, I would like to mention three key topics for our discussion. The first topic is the importance of having an international legal framework. Since 1945, States have set up a body of exceptional international standards. The Geneva Conventions are universal instruments. The two International Covenants on Human Rights; the Convention on the Prevention and Punishment of the Crime of Genocide; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention on the Rights of the Child are a framework of reference for Governments, as well as for civil society, tribunals, parliaments, heads of State, and mere citizens.

The usefulness of today's event consists in mobilizing us to strengthen that normative framework and its implementation, for there are still entire realms of activity without any legal security. International law is lacking when it comes to the plundering of natural resources, for example, or the trafficking in wildlife. The Secretary-General has proposed a programme of action to complement and better implement international law. France thanks him for that and we would like to pay tribute to his personal commitment. We also welcome the way in which United Nations organs, such as the Security Council and the General Assembly, have been mobilized in recent months to apply the law and to respond to the democratic aspirations of Libyan citizens, as well as the battered Syrian people. The United Nations must remain central in the promotion of the rule of law. We will support Deputy Secretary-General Eliasson in his role as coordinator of such a system.

For its part, bearing in mind the recommendations of the Secretariat, France has committed to considering ratifying certain protocols and of withdrawing some reservations and interpretative declarations. With Argentina, we have sponsored the most recent international instruments, namely, the International Convention for the Protection of All Persons from Enforced Disappearance. Today, France is committed to promoting the universality of that instrument. We have also included the fight against violence and discrimination as a result of sexual orientation or

gender identity among the foreign policy priorities of the new French Government. We have set the abolition of the death penalty as an absolute priority by launching a global campaign for its universal abolition.

The second topic that I would like to underscore is the role of the rule of law in the development agenda. The Secretary-General has set up a high-level panel, which will make to him recommendations on post-2015 development. We will certainly not prejudge a discussion that is under way. However, it is no longer conceivable that such discussions do not include the rule of law dimension. National and international development strategies must necessarily be founded on a robust normative framework that respects the rights of all.

State-building, legal security conducive to exchange and the ability of everyone to participate in the decision-making process are crucial conditions for development. In our view, that is also the direction of the Arab Spring. Our Declaration had therefore to make that link between the rule of law and development. Thanks to the efforts of the Mexican and Danish co-facilitators, our Declaration reflects such associations among the rule of law, the fair provision of basic public services and development.

In its bilateral projects, France ensures respect for the principles of the rule of law, namely, human rights, an independent judiciary and access to justice for all. Giving priority to such universal precepts does not, however, mean imposing or setting any single model. We must, of course, unite both common standards and the diversity of national experiences. We must take into account the multiple sources of law, as we are doing in Afghanistan and in a law centre project in Senegal, for example. We involve all actors — civil society, parliamentarians, academics and journalists actors — and propose responses adapted to local realities, such as in the area of land.

Establishing the rule of law specifically means enabling the user, the taxpayer and the defendant to demand that public officials be accountable. Such citizen power, such accountability, is a prerequisite for transparency, the fight against corruption and, ultimately, sustainable development. France supports the work of non-governmental organizations in that regard, including the “Publish what you pay” coalition.

The third topic, which stems from the two preceding ones, is the criminal responsibility of those who contest

the principles of the rule of law and bring to trial the citizens whom they should serve. For some years, this Organization has entered a period that the Secretary-General calls the age of responsibility. It is the era of the Rome Statute of the International Criminal Court, which came into force in 2005, and the age of the responsibility to protect, declared in 2005 in the World Summit Outcome Document (resolution 60/1). The fight against the impunity of those who commit human rights violations is not only a moral and legal obligation. It is also a new way to approach conflicts by denying the perpetrators of genocide, crime against humanity and war crimes any legitimacy.

In conclusion, I would like to recall the six commitments made by France at the Summit: promoting the Convention on enforced disappearance; supporting the International Criminal Court, working for the right to truth; implementing action plans against racism and anti-Semitism and against discrimination on the basis of sexual orientation and gender; campaigning for the abolition of the death penalty; and ensuring the respect and promotion of international humanitarian law in all circumstances. That is an ambitious programme, for which we, for our part, are ready to be accountable in future debates before this Assembly.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Alfredo Moreno Charme, Minister for Foreign Affairs of the Republic of Chile.

Mr. Moreno Charme (Chile) (*spoke in Spanish*): One of the greatest challenges to the international community in the twenty-first century is strengthening the international legal order and the rule of law. Chile attaches the greatest importance to this High-level Meeting on the Rule of Law at the National and International Levels. The rule of law is essential to the peaceful coexistence of peoples, their governance, respect for human rights and the economic and social development of all peoples.

For our country, the rule of law must prevail both in international relations and within States. Its observance at the international level is crucial to the peaceful development of relations among peoples, peace and the stability of nations. The rule of law, reflected in the respect of international law and international treaties, and the peaceful settlement of disputes are part of the foundation of international coexistence. As the Secretary-General has stated, the rule of law at the

international level underpins the Charter of the United Nations.

In our view, the promotion of and respect for the rule of law at the international level involve gradual and universal acceptance of international law by States and their subsequent compliance with their obligations under that law. In that connection, respect for international treaties is fundamental, with which States parties, in addition to being bound by them, must comply in good faith. In that regard, we underscore the need for compliance with border treaties and for the stability of such boundaries.

The universal acceptance of multilateral international treaties, which govern matters of interest to the international community as a whole, should be an objective of States Members of the United Nations. The General Assembly must play a role in that regard by encouraging States to conclude, ratify and/or accede to such treaties. That will constitute specific action by the Assembly to promote the rule of law and international law.

In addition, enhancement of the rule of law at the international level necessarily means the strengthening and use of the means to peacefully settle disputes provided for in the Charter on the basis of the principle of free choice of those means. In that context, we underscore the work of international courts, in particular the International Court of Justice, the principal judicial organ of the United Nations, both in its adversarial work and in exercising its advisory functions. Chile acknowledges the work of the Court and its contribution to international law through its valuable jurisprudence.

We also welcome the existence of and the work done by important special courts, such as the International Tribunal for the Law of the Sea, regional human rights courts, ad hoc international criminal courts and the International Criminal Court. The latter is today the most advanced expression of the development of international criminal justice. For my Government, it is one of the most significant recent initiatives. From the point of view of the protection of human rights, the establishment of the Court is a milestone in the fight against impunity and a clear demonstration that its States parties are committed to the international community moving forward in that direction.

We also recognize the importance of the rule of law at the national level. It is inconceivable that such a precept should be developed only at the international

level without, at the same time, being observed at the national level. That is a prerequisite for internal peace and, at the same time, strengthens international peace.

The rule of law at the domestic level is intrinsically linked to the rule of law at the international level. The two cannot be separated. There will be respect for international law if the rule of law at the domestic level is allowed to develop in the normal fashion. Ultimately, international law can function properly only if the rule of law functions effectively and properly at the domestic level.

Moreover, the rule of law at the domestic level is essentially nurtured by representative democracy, the value that ensures most exactly its proper exercise. As stated in the Inter-American Democratic Charter, democracy is strengthened and deepened by permanent, ethical and responsible participation of the citizenry within a legal framework conforming to the respective constitutional order. Respect for human rights is part of that.

The appropriate establishment and functioning of national organs and institutions, as well as the subordination of all authorities and judiciaries to domestic regulations, are essential for the normal development of the rule of law at the domestic level. It is also essential to have an autonomous and independent judicial system, with legitimacy to act. The very existence of the relevant responsibilities, in accordance with which all persons, whatever their rank, answer to judicial authorities who apply the law equally to all, is also an essential prerequisite.

The United Nations, particularly the General Assembly, must continue to promote reflection on this issue. It must also promote the conditions under which its Members can respect the rule of law at the domestic level and the means and mechanisms through which they are able to do so. In this connection, we support the idea of States working effectively together. The promotion of dialogue is crucial in this respect.

Our country reiterates its firm commitment to strengthening the rule of law at the national and international levels and announces that it will continue to work towards this goal.

My Government believes that the promotion of and respect for the rule of law should be reflected in concrete actions. We therefore welcome the idea that States make pledges at this high-level meeting. In this connection, my country pledges to work actively to

develop national legislation to implement the Rome Statute, specifically by submitting draft legislation on cooperation with the International Criminal Court to the National Congress by 30 June 2013.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Zalmay Rassoul, Minister for Foreign Affairs of Afghanistan.

Mr. Rassoul (Afghanistan): Afghanistan welcomes today's high-level meeting, which is a manifestation of our shared conviction that strengthening the rule of law, nationally and internationally, is to our mutual benefit.

Over the course of the past six decades, the United Nations has made great progress in securing peace, safeguarding fundamental freedoms and assisting countries emerging from conflict. The rule of law has been a fundamental basis for all those achievements. In short, we can say that the rule of law is the very bedrock on which peaceful, stable and harmonious societies flourish.

For Afghanistan, upholding the rule of law is an essential component of our transition from a society ravaged by decades of conflict and war to one where we are working to take on the security, development and justice challenges that remain. Our efforts to rebuild began with State institutions that were either non-existent or severely weakened.

Over the past years, we have made progress in building the capacity of our justice sector to ensure improved rule of law. This principle is embedded in the Afghanistan National Development Strategy. We have taken wide-ranging measures in support of an independent, more transparent, impartial and credible justice sector, including the adoption of a Constitution that safeguards the rights of all citizens; an overhaul of our national legal framework; and the development of national action plans to restructure and build capacity in our ministries.

Ending impunity is an important step in building public confidence and trust in our justice and security sectors. To that end, the newly drafted criminal procedure code was presented this year to the National Assembly and is expected to be placed on the legislative agenda soon. Several working groups have also been continuing their efforts to revise the penal code in order to strengthen the protection of all citizens, with particular focus on the rights of women and children. We have made considerable progress in broadening participation in education, in particular higher education,

where the judges and lawyers of tomorrow will be trained. Through these gains and many others, we are rebuilding the necessary tools and institutions to ensure the rule of law as a solid basis on which to build sustainable peace.

The chance to live in peace and security is a fundamental right of all peoples. The people of Afghanistan desire nothing more than the chance to live in a violence-free environment. In that regard, Afghanistan's security sector reform, initiated in 2001, has led to the formation of a national army and police in whose ranks the diversity of the country is represented. Consistent with the transition process, our security forces are taking increased responsibility — backed by public confidence in them — to meet the security needs of our people in our villages, towns and provinces.

For the past decade, we have been studiously engaged in combating corruption, an ill that has had a drastic effect on our governance, stability and prosperity. It harms Afghans first and foremost. Defeating the menace of corruption therefore remains a high priority for my Government. We have taken a number of measures to achieve a fully transparent administration, the most recent of which was the issuance of a presidential decree this past July directing all ministries, agencies and independent directorates to undertake comprehensive reforms and other measures to defeat corruption and strengthen transparency.

Afghanistan is party to a multitude of relevant treaties and conventions that seek to uphold and promote the rule of law in a wide array of spheres. We recognize that signing and ratifying treaties is not enough and that rights and obligations arising from international instruments must be implemented through national legislation. It is for that reason that President Karzai has instructed the Ministry of Justice to actively take forward the process of ensuring that our national legislation is in full conformity with our international commitments.

The Secretary-General has announced strengthening compliance in the context of the United Nations a priority in the field of the rule of law at the international level. Achieving a reformed Security Council with a view to increasing its representation and transparency and furthering its effectiveness is of utmost importance. Afghanistan has taken a lead role in chairing the intergovernmental negotiations on Security Council reform, and we stand ready to ensure that this vital reform of the Security Council strengthens and

enhances the United Nations ability to promote and uphold the rule of law at the international level.

We highlight the importance of the International Criminal Court (ICC) in promoting international criminal justice and addressing the most serious crimes as a court of last resort. As a State party to the Rome Statute of the ICC, we welcome the continuing increase in the number of States joining the Statute. This illustrates that the Court's work and influence is gaining momentum.

While this high-level dialogue is significant in that it is engaging Member States on this important issue, we must ensure that we do not stop at dialogue. Our agreed outcomes must be implemented at both the national and international levels. Afghanistan will continue to do its part to help strengthen, as part of the global effort, the rule of law at the national and international levels.

The Acting President (*spoke in Arabic*): I now give the floor to His Excellency Mr. Mathias Meinrad Chikawe, Minister of Justice and Constitutional Affairs of the United Republic of Tanzania.

Mr. Chikawe (United Republic of Tanzania): The United Republic of Tanzania welcomes the importance that the United Nations has placed on promoting the rule of law at all levels of governance. Let me first warmly commend the Secretary-General for initiating this timely and pertinent High-level Meeting on the Rule of Law at the National and International Levels. It is indeed relevant and important for the United Nations to discuss this topic in the General Assembly in support of the initiatives of the Sixth Committee.

Tanzania is committed to upholding and promoting the rule of law nationally, regionally and internationally. At the national level, the rule of law is at the heart of the social contract between the State and the individual. The Constitution of the United Republic of Tanzania of 1977 has been our Magna Carta in providing guidance and measures to ensure adherence to the rule of law. In this regard, the principles of equality before the law, accountability to the law and separation of powers are embodied in our Constitution. Realizing that the Constitution emanates from the people and reflects what the people want, Tanzania is currently involved in a thorough, all-inclusive review of its Constitution for the purpose of developing a new constitution, as the current one has served the country for the past 50 years.

Mr. Charles (Trinidad and Tobago), Vice-President, took the Chair.

The Constitution also provides for the establishment of national institutions with mandates to ensure that not only is the rule of law observed, but that citizens' rights are protected. One such institution is the Commission for Human Rights and Good Governance, which, over the years, has done and continues to do a commendable job.

Adherence to the principles of protection and promotion of human rights, access to justice and equality, good governance and the rule of law in the country has also been well-captured in our country's Development Vision 2025 and National Strategy for Growth and Reduction of Poverty.

Strengthening our justice system has been one of the top priorities of our five-year national development plan. In this regard, the Government has made deliberate efforts to increase the number of judges and magistrates, building new courts and renovating old ones. The modernization of the judiciary services — inter alia, by introducing tele-justice — is under way. The number of advocates in private practice has also been steadily increased with the establishment of the Law School of Tanzania, which has made representation and access to justice in Tanzania a reality. The establishment of case-flow management committees to speed up the adjudication of civil and criminal cases is another measure designed to ensure the availability of timely and speedy justice for all.

Tanzania is also committed to becoming a corruption-free society. We have established the Prevention and Combating of Corruption Bureau. The Bureau is mandated to prevent and combat corruption, educate society on the effects of this menace and enforce the law against corruption.

International law and the rule of law are the pillars of the international system. The rule of law at the international level becomes manifest in treaties and customary international law as applied and interpreted by international courts, including the International Court of Justice, the International Criminal Court and ad hoc tribunals, which have enriched and developed international law. It is an effective tool for addressing global challenges in promoting democracy, human rights, the eradication of poverty, sustainable development, the fight against international crimes and the promotion of justice and peace for all.

The United Republic of Tanzania attaches great importance to the rule of law at the international level

and adheres to the purposes and the principles of the United Nations Charter. Likewise, we attach great importance to the need to reform the Security Council, which is an important pillar of international peace and security, which also hinge on international law. The governing structures of the United Nations must therefore give equal comfort to all its Members.

At the international level, Tanzania has ratified a number of multilateral treaties that bestow extensive obligations upon Member States to observe the rule of law. Tanzania hosts the African Court of Justice and Human Rights, the African Union Advisory Board on Corruption and the Institute on International Law in East Africa. Tanzania is among the African countries that voluntarily subscribed to the African Peer Review Mechanism and has agreed to be reviewed on four thematic areas: democracy and political governance, economic governance and management, corporate governance, and socio-economic development.

Recently, Tanzania committed to joining the Open Government Partnership. This initiative is aimed at making Government business more open to its citizens. It is also aimed at improving public service delivery, public/private partnerships and Government responsiveness; combating corruption; and implementing measures to enhance transparency and build greater trust. The Partnership also provides an opportunity for Tanzania to enhance and promote the rule of law and good governance.

Success in the implementation of the rule of law depends on how we are able to translate and transform this process into concrete action. We are mindful of the fact that this requires sustained effort and political will.

In conclusion, let me once again reiterate my Government's commitment to spearheading these efforts at the national level and appeal for continued international cooperation in making possible a just, fair, secure and peaceful world.

The Acting President: I now give the floor to His Excellency Mr. Kairat Umarov, Acting Minister for Foreign Affairs of the Republic of Kazakhstan.

Mr. Umarov (Kazakhstan): In a time of major economic, social and political upheaval, respect for the rule of law takes on paramount importance for the world community. Kazakhstan welcomes the increased attention paid by the United Nations to this issue and expresses its deep appreciation for the organization of the first meeting on the subject at such a high level.

We are deeply convinced that the rule of law manifests itself primarily through strict adherence to its norms and principles in all areas of public life. At the same time, the United Nations, which has been mandated to be a focal point for harmonizing nations' actions to achieve the common objectives set out in its Charter, should play a coordinating role here. In this regard, I would like to thank the Secretary-General for his comprehensive report on the subject of today's discussion (A/66/749), which not only reflects the current challenges in the area of the rule of law, but also offers constructive ways to meet them.

The Republic of Kazakhstan has consistently called for strict compliance with universally accepted legal norms by all members of the international community. We fully share the view that, at the international level, the rule of law ensures the predictability and legitimacy of actions taken by States, promotes their sovereign equality, and provides the basis for a State's accountability to all individuals within its territory who are subject to its jurisdiction.

Over the past 20 years of nation-building, the Republic of Kazakhstan has carried out reforms in virtually all areas of public and social life. The Constitution of the country includes all the guarantees needed for the promotion of constitutional legality and the further strengthening of existing pillars of a democratic, secular, rule-of-law and social State. Kazakhstan is party to more than 190 universal international treaties and conventions, primarily in the area of human rights. There is an ongoing process of improving the mechanisms that ensure public participation in the set-up and exercise of State power and the involvement of citizens in State governance.

Legislative measures have been taken to ensure comprehensive political pluralism and enhance the role and status of women in social and political life. Kazakhstan has been progressively implementing its strategy for gender equality and has enacted laws on the prevention of domestic violence and on State guarantees of equal rights and equal opportunities for men and women.

We hope that today's meeting will be a starting point for the further development of mechanisms to ensure and consolidate the principle of the rule of law. As for Kazakhstan, let me assure the Assembly that the country will, as always, support efforts to enhance the capacity and role of the United Nations legal machinery

and will continue to work for the promotion of the rule of law at all levels.

The Acting President: I now give the floor to His Excellency Mr. Audronius Ažubalis, Minister for Foreign Affairs of Lithuania.

Mr. Ažubalis (Lithuania): My delegation fully aligns itself with the statement delivered earlier today on behalf of the European Union. I will touch upon two points of particular importance from our national perspective and to which we pay particular attention in Lithuania's bid for a non-permanent seat on the Security Council for the term 2014-2015.

First, Lithuania has relevant experience in the field of the rule of law and is willing to share it with others. Since the restoration of independence, more than 20 years ago, Lithuania has had to overcome serious challenges while building a modern democratic State based on the principles of the rule of law. In that effort we did not find ourselves alone, but could count on the support of the international community. Today Lithuania, like other States with modern experience in comprehensive reform-making, is ready to assist other countries in their efforts to reform legal and administrative systems in order to enhance the rule of law. In that connection, I would like to mention that we have already included the rule of law aspect in our development cooperation activities.

Secondly, Lithuania continues to pursue the highest standards in the field of the rule of law. In the area of our international relations, I would like to say that compliance with voluntarily accepted international obligations and respect for the universally recognized principles and norms of international law is the legal tradition in Lithuania as well as a principle of our Constitution. We therefore attach great importance to the legitimacy of our own actions and expect the same from others. We also believe that those elements, in combination with the settlement of disputes by peaceful means referred to in Chapter VI of the United Nations Charter, are central in maintaining international peace and security.

In order to reinforce its international commitments and international legal accountability and to contribute to the strengthening of international judicial mechanisms, Lithuania has decided to recognize the compulsory jurisdiction of the International Court of Justice in accordance with Article 36, paragraph 2, of the Court's Statute. The relevant declaration, together

with instruments of accession to the Optional Protocols to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes, will be deposited during this year's United Nations treaty event.

That will be a major addition to the long list of specific treaties in respect to which Lithuania has already recognized the Court's jurisdiction. It also indicates increased reliance on the international judicial system. On the basis of that national decision, I want to take this opportunity to join those who call for wider international efforts to encourage recognition of the Court's jurisdiction.

The Republic of Lithuania, on the occasion of this High-level Meeting, expresses its deep concern about recent attacks on the United States and German diplomatic and consular offices in some countries. We strongly condemn the outrageous attack on the United States diplomatic facility in Benghazi, Libya, which took the lives of four people, including Ambassador Chris Stevens. It should definitely be stressed that such attacks are also unacceptable from the perspective of the rule of law.

The Acting President: I now give the floor to His Excellency Mr. Rafik Ben Abdessalem, Minister for Foreign Affairs of Tunisia.

Mr. Abdessalem (Tunisia) (*spoke in Arabic*): At the outset, I would like to extend our sincerest congratulations to the President of the General Assembly on his election to preside over the Assembly at its sixty-seventh session. I am also pleased to extend my thanks and appreciation to the Secretary-General, Mr. Ban Ki-moon, and to Mr. Nasser Abdulaziz Al-Nasser, the outgoing President of the Assembly.

The Arab revolutions erupting out of an overwhelming desire for change indicate that the main concern of Governments should be to safeguard their peoples' sovereignty, respect human rights and provide the necessary conditions to guarantee impartial and free elections, justice and equality at all levels. They remind us all that comprehensive and strict adherence to international law in the policies of the State and in their exercise is fundamental, as is the enhancement of the universal values represented in the supremacy of law and human rights.

That has led to efforts to consolidate the rule of law and implement it on a wider basis, with no

selectivity, in order to arrive at a world characterized by justice, stability and opportunities for all without discrimination. There is an urgent need to press ahead with effective cooperation and coordination between the United Nations, Member States and all relevant actors, focusing on the juncture between the national and international levels, in order to fulfil our national and international obligations and to face up to grave violations of international law when they are committed. That enhances our confidence and the relations among States and adds to the predictability of international relations based on the principles of complementarity, equality and justice.

Tunisia, which inspired the Arab revolutions, intends to press ahead with efforts to lay solid foundations for a democratic, civil State. Our watchword is to do away with the past and to build on the gains made thus far in a manner that perpetuates multilateralism, the sovereignty of the people and respect for human rights, and to build a State that cherishes the values of equity, responsibility and equality before the law. Tunisia emphasizes its national commitment to streamlining its legislation to bring it in line with international instruments, in accordance with its pledges. That goal is reflected in our adoption and ratification of several international instruments that emphasize the supremacy of international rules and principles, which are to be implemented without discrimination and with full equity.

To further give expression to that belief, we would like to emphasize our intention to include equality between men and women in our Constitution. That has become a concrete fact in society, in which we take pride.

We are keen on supporting further legislative and social gains. I would like to highlight the completion of the legislative framework by the National Commission against Torture in accordance with the Optional Protocol to the Convention against Torture, which will be discussed nationally and subsequently ratified.

On 23 October 2011, we entered a new institutional phase with the holding of free, impartial and transparent elections, which represents a tremendous historic achievement that enabled the establishment of a national Constituent Assembly and the formation of a Government deriving its legitimacy from the people as well as from the Assembly, which is writing a social pact for the country. That Constitution safeguards our

people's rights as citizens based on our revolution of freedom, justice and dignity.

We emphasize the need for a democratic transition, which can be achieved by taking full account of the responsibility of the former regime as well as of the importance of avoiding the repetition of its crimes by working to establish a judiciary with integrity and independence. We emphasize the importance of taking a consultative, consensual, clear-cut approach that involves all parties and components of civil society as well as the victims, in order to define our goals and priorities and thus formulate a regional and legal framework designed to ensure transitional justice. That framework will be drafted by the Ministry of Human Rights and Transitional Justice in cooperation with members of society and through a national dialogue. We are committed to enacting a transitional justice law in consultation with civil society and with the cooperation of all parties.

We will continue to move forward in our irreversible drive towards comprehensive reform in all areas and sectors. History teaches us, through the experience of others, that such stages bring with them considerable socio-economic challenges. It also shows us that while we must rely on our own domestic capacity and will to prevail, we still need the continuing backup and effective support of the international community.

In conclusion, I would like to reiterate my country's eagerness to cooperate with all its international partners in a way that helps us to benefit from the experience of others, strengthens our capacity to respond to the aspirations of our citizens and opens up new horizons on the path to freedom, justice, equality, accountability and peace.

The Acting President: I now give the floor to His Excellency Mr. Saad-Eddine El Othmani, Minister for Foreign Affairs and Cooperation of Morocco.

Mr. El Othmani (Morocco) (*spoke in Arabic*): I would first like to offer my sincere congratulations to the President on his accession to the presidency of the General Assembly at its sixty-seventh session. We are confident that his remarkable diplomatic qualities will help crown our work with success. I would also like to thank Secretary-General Ban Ki-moon for his commitment to promoting the role of the United Nations in the establishment of the rule of law and for his participation in this meeting.

The theme of this meeting is the rule of law, and it has been assiduously prepared for over the last two years. It presents an opportunity for Member States to reaffirm their commitment to continuing to promote the rule of law at the national and international levels. It is an opportunity to evaluate the efforts made and steps taken by the Organization and to take stock of our national experiences, with a view to developing a multilateral consensus on the ways of improving the effectiveness of related activities, so that the international community can maintain a firm belief in the importance of the rule of law. This meeting embodies our intensive participation in the debates around that important theme.

Morocco is firmly committed to promoting the rule of law and the respect for human rights and to disseminating the values of tolerance at the national, regional and international levels. We reiterate our commitment to establishing a multilateral international order based on international law, an arena for which the United Nations is the most appropriate framework in our collective endeavours aimed at creating an international community that enjoys lasting peace and respect for human rights. Realizing that vision demands a holistic approach, based on the commitment to respect all these principles. The rule of law is a fundamental pillar of United Nations efforts aimed at preventing armed conflicts and at safeguarding international peace and security, especially through the promotion of those principles in post-conflict situations.

In that context, Morocco, in accordance with its commitment to support such efforts, has increased its participation in peacekeeping operations, and supports such missions around the world. Those efforts enjoy the support of our national institutions, which seek to expand respect for the rule of law in all sectors. In that regard, only a few days ago in the city of Rabat, Morocco, together with the United Nations, Qatar and Norway, hosted a workshop designed to highlight the importance of national capacity-building in post-conflict situations and affording the participants an opportunity to exchange views and experiences.

At the international level, as things stand politically and economically, it is vital to place people at the heart of every undertaking by establishing a close link between the rule of law and respect for human rights. For that we must intensify our efforts in order to meet the Millennium Development Goals in full. The international community is also duty-bound to continue

its efforts, based on the principle of joint responsibility, to deal with new trans-border threats, including terrorist and rebel movements and organized crime networks, whose activities threaten every country in the world, especially those in Africa, which has seen a resurgence of such threats. While the United Nations and its specialized agencies have launched programmes designed to improve national capacities in the area of the rule of law, such efforts will be futile unless they are based on an integrated, strategic approach that takes into account the priorities of the countries concerned and their cultural and national specifics.

Morocco, under the leadership of King Mohammed VI, has therefore, in order to meet the aspirations of the Moroccan people, undertaken to strengthen the rule of law through an integrated, inclusive approach that has allowed us to launch a major reform initiative to establish the rule of law and democratic institutions, as well as to promote the role of women.

We have also launched a national development initiative aimed at strengthening national solidarity by addressing human rights violations. That reform initiative culminated in the adoption of a new Constitution that reaffirms Morocco's commitment to establishing a democratic State governed by law and by the separation of powers, and which also guarantees the independence of the judiciary and enshrines respect for human rights and economic and political governance. The Moroccan approach in that respect ensures a positive correlation between the values that are deeply embedded in Moroccan society and universal values.

In conclusion, we would like to reiterate our deep conviction that the promotion of the rule of law and international governance are dependent on the enhancement of national capacities, so that States can discharge their functions effectively and meet their obligations to their citizens.

Morocco is committed to continuing dialogue with Member States and the United Nations bodies taking part in this first High-level Meeting on the rule of law and to follow up on the outcome of the Meeting. Here we reaffirm our commitment to support all regional, subregional and international stakeholders that seek to promote the values of the rule of law and civil peace.

The Acting President: I now give the floor to His Excellency Mr. Winston Dookeran, Minister for Foreign Affairs of Trinidad and Tobago.

Mr. Dookeran (Trinidad and Tobago): This High-level Meeting on the rule of law is a timely expression of the principal premise on which the Charter of the United Nations is predicated. It is a principle that is the cornerstone for the conduct of international relations among States and the anchor of the quest for good governance within our nations.

The path to growth and development, the promotion of human rights and the policy strategy to tackle issues such as climate change, poverty and the peaceful resolution of conflicts are dependent on adherence to the rule of law.

In the midst of the global economic and financial crisis, the challenge of good governance in an increasingly diverse society and the search for a sustainable peace initiative, observance of the rule of law offers the most durable and reliable basis for lasting solutions.

Indeed, deficits in the practice of the rule of law exist. We have a golden opportunity to work together to address the implementation deficit in the fulfilment of our domestic and international legal obligations, which has had an impact on the maintenance of the rule of law.

Trinidad and Tobago acknowledges that the responsibility for strengthening the rule of law lies primarily with individual Member States. Consequently, our Republican Constitution recognizes that the rule of law lies at the heart of the social contract which subsists between the State and its citizens.

The fundamental rights and freedoms of the individual are protected and entrenched in our Constitution, without discrimination by reason of race, origin, colour, religion or sex.

Provisions relating to equality before the law and the protection of the law are also safeguarded under the supreme law of Trinidad and Tobago. Moreover, those are buttressed by the various international human rights and other instruments to which Trinidad and Tobago is a State party.

Additionally, our institutions or entities, whether public or private, are accountable to and not above the law, and disputes are adjudicated by an independent judiciary which is free from the influence or control of the executive and the Parliament.

Notwithstanding our efforts over the past 50 years as an independent nation, Trinidad and Tobago also

recognizes the interdependence between the rule of law at the national and international levels. That is the cardinal principle on the basis of which we conduct our foreign relations, whether in the bilateral or multilateral spheres. Adherence to the rule of law has also inspired us to establish very productive relationships with countries in our subregion and hemisphere and further afield, through the conclusion of several initiatives geared towards the achievement of the sustainable economic and social development of our people.

One of the most important of those schemes is the revised Treaty of Chaguaramas, establishing the Caribbean Community (CARICOM), including the CARICOM Single Market and Economy.

We robustly support the Affirmation of Commonwealth Values and Principles, which was adopted by the Commonwealth Heads of Government at their meeting held in Trinidad and Tobago in 2009. That affirmation, among other things, indicates that access to justice and an independent judiciary are fundamental to the rule of law, enhanced by effective, transparent, ethical and accountable governance.

Trinidad and Tobago, as a founding State of the International Criminal Court, also asserts that all States are obligated to investigate and, where there is sufficient admissible evidence, prosecute persons accused of crimes within the jurisdiction of the Court.

To that end, we have enacted legislation to give full effect domestically to the provisions of the Rome Statute, in order to prevent impunity for the perpetrators of such crimes, thereby protecting the rule of law.

There is no doubt that the rule of law is indispensable to the achievement of the three main pillars of the work of the United Nations: peace and security, human rights and development.

Accordingly, the Assembly, at the beginning of this Meeting (see A/67/PV.3), adopted a strong Declaration (resolution 67/1) which promotes the rule of law through effective coordination between the United Nations, Member States and all other stakeholders.

Trinidad and Tobago also supports the call for the Secretary-General to put the necessary measures in place to enable the General Assembly to engage in follow-up work with a view to developing a comprehensive approach to strengthening the rule of law at both the national and international levels.

I pledge the support of the Government of the Republic of Trinidad and Tobago to work more closely with the United Nations and other partners to combat illicit trade in narcotics, small arms and light weapons, as well as other transnational organized crimes, which pose a serious threat to the rule of law within the CARICOM region, and hence to the peace, security and stability of our region.

The Acting President: I now give the floor to His Excellency Mr. John Luk Jok, Minister of Justice of South Sudan.

Mr. Jok (South Sudan): The Republic of South Sudan greatly appreciates the invitation to participate in this important meeting of the General Assembly to deliberate on a common catchphrase and important subject of modern times, namely, the rule of law at both the national and international levels.

The Republic of South Sudan, as the Assembly is aware, is the newest Member of the United Nations family, having only attained sovereign independence last year, after several decades of bitter struggle for self-determination, justice, human rights, human dignity, peace and freedom. The independence of South Sudan came about as a result of a peaceful, democratic and internationally monitored national referendum held in January 2011. The outcome of the referendum was 98.7 per cent in favour of the creation of a new independent State of South Sudan. In effect, the people of South Sudan have chosen peace and freedom instead of costly and perpetual civil wars and conflicts with the people of the Sudan, to the north, whose dream has always been to build an Arab Islamic identity in the Republic of the Sudan, which was the predecessor State.

South Sudan has now embarked upon the dual task of State- and nation-building as a peace-loving member of the African Union and the United Nations family. South Sudan is committed to building a democratic State for all of its ethnically diverse people. It is committed to promoting justice, freedom, human dignity and the rule of law, not only at the national level but also at the international level, together with the other Members of the United Nations.

We are therefore pleased to participate in this meeting of the sixty-seventh session of the General Assembly, dedicated to the important topic of the rule of law. We hope our contribution to this meeting will provide more understanding of the developments in the new Republic of South Sudan, particularly as it pertains

to the rule of law at both the national and international levels.

The Republic of South Sudan takes cognizance and recognizes the importance of the rule of law at the international level, based on the development, promotion and implementation of international norms and standards in relevant fields of international law. As a new Member of the United Nations, the Republic of South Sudan declares its commitment to the rule of law and to an international legal order in which the conduct of States in their international relations is based on the rule of law, respect for the sovereign equality of States and the principles and ideals of the Charter of the United Nations for the maintenance of international peace and security. The Republic of South Sudan furthermore takes note of the ongoing work on the rule of law under the auspices of the Secretary-General. We particularly acknowledge the framework and precise definitions provided in the Secretary-General's 2004 report on the rule of law and transitional justice in conflict and post-conflict societies, which states that

“The ‘rule of law’ is a concept at the very heart of the Organization’s mission. It refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.” (*S/2004/616, para. 6*)

That definition certainly summarizes the basic concepts that underpin the historical and philosophical foundations of the concept of the rule of law from its early origins in history to this day.

Upon independence, on 9 July 2011, South Sudan promulgated a transitional Constitution under which our country is to be governed until 2015, when a new constitution shall be established through a democratic, inclusive and participatory process. Currently, a national constitutional review commission is at work collecting views and suggestions from all stakeholders in the country on the text of the future constitution. The

commission was established with due regard to gender and the political, social and regional diversity of South Sudan, in recognition of the need for inclusiveness, transparency and the equitable participation of all our people.

The rule of law is enshrined in the transitional Constitution of the Republic of South Sudan of 2011, which is the supreme law of the land, from which authority at all levels of Government is derived and to which all State constitutions must conform. The Constitution vests sovereignty in the people, and the State exercises that sovereignty through its democratic and representative institutions, established under the Constitution and the law. Most important, the Constitution proclaims that South Sudan is founded on justice, equality, respect for human dignity and the advancement of human rights and fundamental freedoms.

The supreme law of our country embodies a bill of rights that is a covenant among the people of South Sudan and between them and their Government at every level, and a commitment to respect and promote human rights and fundamental freedoms guaranteed in the Constitution. The bill of rights is taken seriously as the cornerstone of social justice, equality and democracy by all institutions of Government and the people.

The independence of the judiciary, including financial independence, is guaranteed by the Constitution. The judiciary is the custodian of the Constitution and has the power to review any executive or legislative act that does not conform with the Constitution.

Consistent with international human rights law, the transitional Constitution embodies a bill of rights that guarantees the sanctity of rights and freedoms — the right to life, human dignity, personal liberty; freedom from slavery, servitude, and forced labour; equality before the law; the right to found a family; the rights of women; the rights of the child; freedom from torture; the right to a fair trial and litigation; restriction on the death penalty; the right to privacy; religious rights; freedom of expression and media; freedom of assembly and association and to form political parties; the right to participate in public life and to vote; freedom of movement and residence; the right to own property; the right to education; the rights of persons with special needs and the elderly; public health care; the right of access to information; the rights of ethnic and cultural communities; and the right to housing.

Those rights are guaranteed in our Constitution. That bill of rights is justiciable before courts of law, and therefore enforceable.

To ensure national implementation, South Sudan, following independence last year, embarked on the enormous task of building its legal system from the ground up following its disconnection from the old Sudanese legal system. While building those legal frameworks, we are also currently engaging in a process of identifying multilateral and regional treaties and agreements for the purpose of their ratification, or for the Republic of South Sudan to accede to those international treaties and agreements, in accordance with the procedures and requirements of our Constitution. That process will facilitate the incorporation into domestic law of relevant international treaties, covenants, agreements and protocols in order to ensure their national enforcement.

South Sudan has so far acceded to a number of important international treaties and agreements, including the four Geneva Conventions of 1949 and their additional Protocols, and agreements relating to the International Monetary Fund and World Bank Group institutions. South Sudan has incorporated those instruments into its domestic laws. There is ongoing work between the Ministry for Foreign Affairs and the Ministry of Justice to update the situation so that our country accedes to all international human rights conventions and treaties in the coming months. Already, with the support of the United Nations Mission in our country, we have been able to hold workshops to address procedures for accession to, and ratification of, treaties. We are grateful for the cooperation of the United Nations Mission in South Sudan.

In spite of the progress made so far, South Sudan will continue to require more capacity-building support, possibly through bilateral and multilateral assistance and the integrated response provided by the Secretary-General. In strengthening the treaty bodies, as I have already mentioned, the Republic of South Sudan is working with the United Nations Mission in South Sudan and other multilateral bodies to develop strong and effective institutions in the area of the rule of law by providing training to the rule of law sectors, including the judiciary, the Ministry of Justice, the correctional services and the police. The support of the United Nations, although limited in nature, is greatly appreciated.

Building rule-of-law institutions remains one of the most challenging tasks our country is undertaking. As our nation is just one year old, it is still challenged by various difficulties, as it lacks capacity in the areas of the rule of law. In that regard, South Sudan is seeking the support of the United Nations so that in promoting the noble idea of the rule of law we have the capacity to carry out our obligations under the Charter of the United Nations.

With regard to the International Court of Justice and strengthening its role, South Sudan recognizes the importance of the international dispute resolution mechanisms. South Sudan is therefore committed to utilizing the forum of the International Court of Justice and other adjudicative bodies and mechanisms for the peaceful resolution of disputes. From its inception, the Comprehensive Peace Agreement, which led to the independence of South Sudan, was brokered through such international mechanisms. Moreover, South Sudan, even before its independence from the Sudan, agreed to a settlement by the Permanent Court of Arbitration at The Hague on the Abyei boundary dispute between it and the Sudan. Furthermore, South Sudan fully accepts the recommendations of Security Council resolution 2046 (2012) and has agreed to peaceful negotiations with the Sudan, facilitated by the African Union High-level Implementation Panel under the leadership of President Thabo Mbeki.

As for strengthening the rule of law at the national level, the transitional Constitution of the Republic of South Sudan incorporates important principles that guarantee access to services for marginalized and vulnerable groups. The Constitution also requires all levels of Government to enact laws to combat harmful customs and traditions that undermine the dignity and status of women and to promote the rights of women to own property and share in the estates of their deceased husbands together with any surviving heirs. It requires the provision of maternity care, child care and medical care for pregnant and lactating women. Furthermore, the Constitution also provides for the right of the child to life, survival and development and not to be subjected to exploitative practices or abuse, nor to be required to serve in the army or permitted to perform work that may be hazardous or harmful to the child's education, health or well-being.

As I said, the Assembly will definitely acknowledge that I represent the youngest Member of the United Nations. So I appeal to the President to allow me to

finish my statement as a privilege for the youngest member of the community here.

Our Constitution requires all levels of Government to guarantee the right of persons with disabilities or special needs to participate in society and to enjoy rights and freedoms, especially access to public facilities, suitable education and employment. All levels of Government are also required to ensure that the elderly and persons with special needs are accorded, with dignity, the medical services and care necessary for their health.

With regard to accountability, the Government of South Sudan recognizes that the basic principles of open Government are key to achieving public confidence in Government. To that end, the Government has established legal and institutional frameworks in the areas of anti-corruption efforts, public financing, accounting and management, anti-money-laundering, public auditing and public employee grievance mechanisms. In addition to those legal frameworks, new legislation pertaining to the public's right of access to information has been presented to, and is under deliberation by, our Parliament.

Nevertheless, significant funding and technical assistance for design, planning and implementation in areas such as the programme for the protection of whistle-blowers and witness protection is required if they are to be made active. However, in its development plan, the Government ensures that public participation and engagement in policy and decision-making processes are an integral part of good governance, the rule of law and accountability.

With regard to national data collection, South Sudan is committed to strengthening its service delivery by improving the organizational management of rule of law institutions, including the establishment of policies for the improvement of services. Work is already under way through the South Sudan judiciary action plan 2011-2014, the Ministry of Justice strategic framework 2012-2013, and the Ministry of the Interior action plan for 2012. However, as a new nation emerging from conflict, there is enormous need for technical support, capacity development and programming to ensure effectiveness and efficiency in policy development and implementation.

In terms of civil society, the transitional Constitution of the Republic of South Sudan includes provisions relating to the freedom of assembly and

association and the right to participation and voting. The Government has already established legal frameworks for political parties, elections and electoral law. The legal and institutional framework for the professional associations of lawyers and other civil society and professional groups is also under way. The Government recognizes its partnership with civil society.

Even before South Sudan's independence, civil society organizations were actively involved in addressing many social and public needs within southern Sudan. The Government is committed to supporting civil society organizations in their efforts to effectively strengthen the voice of the citizens by empowering them.

In terms of traditional and informal justice systems, the Constitution recognizes customary law and traditional institutions, allowing them to function alongside formal justice sector institutions. The traditional and informal sector is functioning in accordance with the Constitution and the law. Under the Local Government Act, customary law councils and courts are established with appointed judges. However, there still remain major conflict areas between the traditional justice mechanisms and the formal legal system.

In supporting peace and security in conflict and post-conflict situations, as a nation emerging from a long civil war, security continues to be a concern for the Government of South Sudan, especially with regard to interference coming from the north from our former compatriots in the Sudan. The impact of continued armed conflict in parts of the country affects the implementation of rule-of-law programmes, the security of citizens and human rights. Moreover, in the aftermath of conflict, South Sudan lacks the capacity and financial resources required to implement initiatives and programmes within justice sector institutions to mitigate the causes and consequences of insecurity.

However, we are in dialogue with our neighbour the Sudan, in order to resolve all outstanding issues through peaceful means, in accordance with the Charter of the United Nations. Together with the United Nations Mission in the Republic of South Sudan, South Sudan is currently providing training for justice sector institutions to increase their presence throughout the country, improve their efficiency and effectiveness and gradually improve overall peace and security throughout the country.

With respect to sustainable human development, even prior to independence, South Sudan had continually endeavoured to develop and promote legal frameworks for business and to foster an enabling environment that supports entrepreneurship and the growth of small- and medium-size enterprises. Some of the legal frameworks already developed to boost private sector investment include investment promotion, consumer protection laws and regulations relating to companies, cooperative societies, the sale of goods, import and export, registration of businesses, partnerships, contracts and agencies, to mention but a few. Recently, South Sudan acceded to a variety of conventions and other legal frameworks through membership in the International Monetary Fund and the World Bank Group institutions. However, South Sudan is still hampered by severe capacity deficits in its efforts to foster an enabling environment for sustainable human development.

With respect to fighting corruption, as a new State, South Sudan has limited legal frameworks for dealing with that problem, but it has taken major steps to develop mechanisms and create institutions by which accountability can be ensured. We have an anti-corruption commission within the Ministry of Justice and other bodies whose role is to check corruption in public life.

Finally, I would be remiss if I did not mention the rights of women and children. Our Constitution includes affirmative action specifically designed to empower women. We set aside 25 per cent of the seats in all

decision-making institutions for women. Thanks to that policy, South Sudanese women currently participate in various areas of public life through social networks, women's groups, political parties, and in the executive and legislative bodies of our Government. With regard to empowering children, our Constitution and bill of rights provides for the protection of the child, including the right to life, survival and development, and name and nationality. The Constitution also protects children from all forms of discrimination, corporal punishment in schools, cruel and inhuman treatment, and from being subjected to negation or harmful cultural practices that affect child health. In short, we have already incorporated the United Nations Convention on the Rights of the Child into our domestic law.

In conclusion, as a new nation, South Sudan is committed to strengthening the nexus between the rule of law at the national, regional and international levels in order to ensure accountability for perpetrators of international crimes and other gross violations of human rights. We stand ready to cooperate in investigations and prosecutions of international crimes. However, at present, due to inadequate capacity within our domestic institutions, assistance is needed to support our rule-of-law institutions in investigating, prosecuting and trying perpetrators of international or transboundary crimes.

The Acting President: We have heard the last speaker for this meeting.

The meeting rose at 6.05 p.m.