



## UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA  
NEW YORK, N.Y. 10017-3505

Sixth Committee

The Rule of Law at National and International Levels

Statement of the United States of America

Ted Dintersmith, Public Delegate-Designate

October 10, 2012

Thank you, Mr. Chairman.

At this year's High Level Event on the Rule of Law, U.S. Attorney General Eric Holder noted that our shared commitment to the rule of law has helped inform, augment and re-energize our work in confronting a wide range of global challenges ---- from combating violent crime, public corruption, and terrorism, to promoting global security, open governance, strengthening civil society, and fostering economic development and job creation.

Our pledge document demonstrates the United States' strong support for rule of law initiatives worldwide. Our pledges range from support for ongoing UN initiatives ---- such as the provision of civilian advisors for police, justice and corrections reform to UN missions ---- to national-level initiatives aimed at enhancing legal aid and women's access to justice, to a wide variety of bilateral programs. We likewise note with appreciation the enthusiastic and robust pledges of our fellow Member States.

We welcome the General Assembly's efforts to promote the rule of law by convening this year's high-level event. The United States stands ready to discuss how best to follow up on the high-level event in ways that take into account the cross-cutting nature of the rule of law and are inclusive of the broad range of legitimate stakeholders. These stakeholders should include UN components and civil society players, such as national bar associations, businesses, NGOs and academics. The high-level event illustrated how much we have accomplished already, but also how far we have yet to go.

The linkage between the rule of law and human rights is clear and undeniable. So too are the links between the rule of law and the development of robust, transparent and durable democratic institutions. Democratic institutions are reinforced by strong protections for freedom of expression, freedom of assembly, and participation in the political process. In a similar vein, strong legal systems ensure that elections are conducted in a manner that is free and fair, a prerequisite for political stability in both developed and developing countries.

We all know the essential role of good governance, including the rule of law, in ensuring inclusive and sustainable development. If we fail to strengthen the rule of law in developing countries we risk undoing the progress we have made toward achieving the Millennium Development Goals. Full access to formal justice systems allows people in both developed and developing countries to live without fear of arbitrary deprivation, displacement or dispossession. Yet impoverished persons and other vulnerable populations,

including women, children, and those with disabilities are most susceptible to having their rights infringed upon and are often least aware of their rights. Those individuals who need justice the most are also the most likely to slip through the cracks of their country's justice system. This is why issues related to governance, including rule of law, are important components of and should be infused throughout the discourse on development and poverty eradication.

Without the assurances that access to the rule of law provides, entrepreneurs cannot find credit to grow their small businesses, and investors become less confident that their job-producing investment will be protected. The risks simply become too high. This lack of legal security hurts job creation, development and growth in the countries that need it most. Indeed, the World Bank's 2013 World Development Report recognizes the rule of law as "fundamental" to job creation and growth.

Absent clarity on legal infrastructure in a country, it is difficult for businesses to attract investment capital from abroad, a developmental disadvantage that is often compounded by corruption. In a world where investors have many options for where to put their money, they have limited incentives to invest in a country where the legal system offers no security.

The critical linkages between rule of law and development are all the more clear in fragile and conflict-affected states. Where the need for development and development assistance is most acute, so too is the need for the rule of law most urgent. The United States recognizes the critical role that these countries play in developing and driving their own transitions, including in the drive to develop and maintain security (including freedom from gender-based violence), ensure equal access to justice for all, generate employment for men and women, and foster inclusive political processes and tools for conflict resolution, including by bringing more women to the negotiating table. We look forward to continuing to partner with our fellow Member States to address these fundamental challenges. The benefits of the rule of law are many, and only serve to underscore the progress that we can make, together, as we follow up on this year's high level event.

Thank you Mr. Chairman.