



Statement on behalf of the European Union and its Member States

By

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at the Sixth Committee

on

**Agenda item 85
"The Rule of Law at the national and international levels"**

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- CHECK AGAINST DELIVERY -

Mr. Chairman,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro* and Serbia*, the countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We welcome the report of the Secretary-General of 29 July 2013 on Strengthening and Coordinating UN Rule of Law Activities.

As stated by the Secretary-General in his report, the previous General Assembly session marked an important milestone in the development of a coherent approach to the Rule of Law. We had a very successful High-Level meeting on the Rule of Law at the National and International Levels on 24 September 2012. In the Declaration, adopted by consensus, our leaders reaffirmed their commitment to the Rule of Law and its fundamental importance for the further development of the three main pillars upon which the United Nations is built: peace and security, human rights and development.

In particular, they called for the interrelationship between the Rule of Law and development to be considered in the post-2015 international development agenda. We believe that the post 2015 development framework should address justice, equality and equity, good governance, democracy and the Rule of Law, with a strong focus on the empowerment and rights of women and girls and gender equality, and on preventing and combating violence against women as essential preconditions for equitable and inclusive sustainable development, as well as important values and objectives in themselves. In this regard, we welcome the outcome document for the MDG Special Event. We also welcome the high-level event planned by the President of the General Assembly on human rights and Rule of Law as a contribution in this regard. Rule of law must be included in the future sustainable development agenda.

We would also like to note the high number of pledges made at the high-level meeting. In each of the areas covered by the Declaration, the EU and its Member States have made substantive pledges of commitment to strengthen the Rule of Law, backed up by concrete measures. We encourage further pledges as well as their implementation by UN Member States.

Respect for the Rule of Law is an essential condition for peace, stability and development and needs to be pursued at both national and international levels. It is inextricably linked to the protection of human rights and fundamental freedoms. It is therefore important that the UN continues to promote the Rule of Law internationally. In so doing, the UN should consider the Rule of Law as a principle of governance, equally important in all societies.

Mr. Chairman,

The subtopic for our discussion today is the Rule of Law and the peaceful settlement of international disputes. We attach great importance to the various methods incorporated in Articles 33 to 38 of the UN Charter for the prevention and settlement of disputes. In recent

* The former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.

years attention has been paid to mediation, among other issues, and we look forward to reviewing further progress on mediation during this Session. We would also like to emphasize the role of judicial mechanisms in the prevention and resolution of legal disputes. We strongly support the role of the International Court of Justice as the principal judicial organ of the United Nations for the peaceful settlement of disputes among States, we recognise the importance of its advisory opinions, and we call upon all States that have not yet done so, to consider accepting the jurisdiction of the Court in accordance with its Statute. The early and more frequent resort to the judicial mechanisms, such as the ICJ, the International Tribunal for the Law of the Sea, or the Permanent Court of Arbitration would greatly contribute to the maintenance of international peace and security and the promotion of the primacy of international law in the relations between States.

We are also firm supporters of the International Criminal Court and other international criminal tribunals in their efforts to fight impunity. We acknowledge in particular the important role of ICTY and ICTR. We also acknowledge the important role of the Special Tribunal for Lebanon and of the Extraordinary Chambers in the Courts of Cambodia and their need for voluntary contributions. We welcome that, with its decision to uphold the conviction and confirm the sentence of former President Charles Taylor for war crimes and crimes against humanity, the Special Court for Sierra Leone has completed this key legal process. It represents an historic milestone in the fight against impunity.

We call upon all UN Member States not yet parties to the Rome Statute to ratify or accede to it as well as all States parties that have not yet done so to implement it in their national legal order. The universality of the Rome Statute is essential for ensuring accountability for the most serious crimes of concern to the International Community. Cooperation with the ICC and enforcement of its decisions is equally essential for the Court to be able to carry out its mandate. It is also crucial that all States refrain from helping to shelter or hide the perpetrators of the most serious crimes and take the necessary steps to bring those perpetrators to justice in order to seal the primacy of the Rule of Law. The Court is complementary to national criminal jurisdictions and it is therefore essential that States exercise their criminal jurisdiction over those responsible for international crimes, bearing in mind the importance of international cooperation and judicial assistance in that matter.

The EU continues to believe that sanctions are an important tool in the maintenance of global peace and security and that prompt and effective implementation of relevant sanction measures by all UN Member States is of utmost importance. Regarding targeted sanctions regimes, we acknowledge the importance of the recent case law in the European Court of Justice. We remain convinced that fair and clear procedures and respect for the Rule of Law are necessary to uphold the legitimacy and efficiency of such regimes. In this context, we welcome the significant steps taken by the UNSC to further reinforce fair and clear procedures for UN sanctions, including through enhancing the role of the Office of the AQ Ombudsperson and publishing delisting procedures online, and we commend the work of the Ombudsperson; we welcome in this regard the renewal of the mandate of the Ombudsperson last December with further enhancement to her Office, including its effectiveness and transparency.

Mr. Chairman,

The European Union and its Member States welcome the UN efforts to ensure the coordination and coherence of strategies and activities relating to the Rule of Law, including

the critical work carried out by the UN Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General, the Rule of Law Unit and the Global Focal Point arrangement.

The European Union closely cooperates with the Global Focal Point for the police, justice and corrections in the Rule of Law in post-conflict and other crisis situations. Through the Instrument for Stability the EU is providing concrete Rule of Law assistance to many countries, in particular in post-crisis situations. In May, the European Commission signed a 225 million Euros Contract with the Government of Mali to contribute to the Plan for the Sustainable Recovery of this State. The first disbursement of 90 million Euros mainly aims at strengthening democracy and the Rule of Law throughout the country. In September, the Conference on the New Deal for Somalia, organised in Brussels, endorsed the Somalia Compact aiming at establishing the Rule of Law, in particular through setting up judicial structures, addressing injustices and human rights, and increasing people's access to justice. Furthermore, through the European Instrument for Democracy and Human Rights, the European Union provides assistance for projects in third countries with the aim of supporting and strengthening the international and regional framework for the protection of rights, justice, the Rule of Law and the promotion of democracy.

Many of the EU civilian crisis management operations also focus on the Rule of Law. The most recent example is the EU Training Mission in Mali under the general framework of Security Council Resolution 2085 (2012), which aims to help Malian authorities to restore constitutional and democratic order as well as State authority, law and order throughout the country.

Mr. Chairman,

In concluding, we strongly support further comprehensive GA-level discussions on the linkages between the Rule of Law and the three main pillars of the UN. The Declaration adopted at the high-level meeting requested the Secretary-General to propose ways and means of developing, with wide stakeholder participation, such linkages. We look forward to the results of the process of consultations currently under way to respond to this request, as outlined in the Secretary-General's report, and to discussing in a comprehensive manner the Addendum to his report during the 68th UN General Assembly.

The Rule of Law is the foundation for a peaceful, prosperous and just world, and partnership and dialogue are indispensable tools for its delivery. We call for better cooperation and coordination of UN Member States, UN agencies and other actors in this regard.

Thank you, Mr. Chairman