



Statement by
The Delegation of the Republic of Indonesia
On Agenda Item 85
The rule of law at the national and international levels

New York, 10 October 2013

Mr. Chairman,

At the outset, I would like to align my statement with the statements made by the distinguished Representatives of Lao PDR and the Islamic Republic of Iran; on behalf of ASEAN and the Non-Aligned Movement, respectively.

I would also like to thank the Secretary-General for providing us with the annual report on strengthening and coordinating United Nations rule of law activities, which is contained in document A/68/213.

As mandated by last year's resolution, my delegation will focus this statement on the topic, "The rule of law and the peaceful settlement of international disputes".

Mr. Chairman,

Before starting the discussion on the rule of law at the international level, we must, first and foremost, take a look at where we are at the national level.

Indonesia believes there are three pertinent points on the rule of law at the national level.

First, it is evident that the rule of law is an important foundation of a truly democratic society, providing the essential groundwork in which a country's political, economic and social institutions may be established.

Thirteen years ago, we launched a comprehensive legal reform program as an integral part of Indonesia's democratic transition. That program made use of a three-pronged strategy:

- 1) Building the capacity of the institutional and human resources of the judiciary, the police and other public institutions;
- 2) Increasing the people's access to the national justice system; and
- 3) Building constituencies for legal reform.

This year, President Susilo Bambang Yudhoyono, in his annual state address before the Parliament, re-emphasized the importance of strengthening the rule of law. He also reiterated his commitment to continuously improve Indonesia's legal system and to enhance equal access to justice for all citizens.

We will continue on this path of improvement. We also look forward to sharing our best practices next year at this same debate, in this committee.

Second, civil society and the media have an important role in complementing the effort of the government to ensure accountability and transparency.

The media has become an effective tool for the government to showcase its achievements, while at the same time, providing an instant critique of its policies.

We have embraced both the media and civil society as partners, through a fair set of rules on the freedom of opinion, while also preserving the norms of respecting the rights of others.

Third, law enforcement should be carried out with respect to human rights.

Mr. Chairman,

Indonesia recalls the first High Level Meeting on the Rule of Law titled “The rule of law at the national and international level”, which was held on September 24th last year, as well as the declaration adopted at that meeting.

With that background in mind, I wish to share Indonesia’s perspectives on the rule of law at the international level.

The first element in the consideration of the rule of law is the need for the complete commitment of all States to an international order firmly entrenched in the UN Charter and international law. All States and international organizations have an obligation to respect the legal rights of States, and to comply with their responsibilities and obligations under the law.

The second element is that the principal organs and specialized bodies of the UN must operate under the highest standards of justice and fairness.

In our view, this extends to the collective advocacy of States for reform of the UN itself so that the Organization is, in theory and practice, truly representative of the world of this Millennium. Needless to say, the reform of the Security Council and the revitalization of the General Assembly constitute important components of this.

Similarly, the International Court of Justice and other treaty-based mechanisms must fulfill their vital role in the peaceful settlement of international disputes.

The third element is closely-managing the gap between commitments made at the international level and the implementation at the national level.

Although the main responsibility for such implementation lies with Member States, the reality is that all countries do not possess the same capacity.

This fact provides an opportunity for a global partnership for capacity-building to boost the efforts of the developing countries. The United Nations is well-positioned to support its Member States in this regard through coordinated and timely assistance.

Mr. Chairman,

As one of the initiators of the Manila Declaration on the Peaceful Settlement of International Disputes' in 1982, my delegation attaches great importance to the mechanism of peaceful settlement of international disputes, particularly Article 33 of the UN Charter.

Resolving international disputes through peaceful means is of the utmost importance in the maintenance of international peace and security. Negotiation, mediation, and judicial settlements are the means provided by the United Nations Charter to settle disputes between States.

The International Court of Justice has also been a true testament on how judicial settlement contributes to the maintenance of international peace and security. Indonesia and her neighbors have relied upon the court to peacefully settle territorial disputes. Not only does it resolve disputes in a dignified and friendly manner, the Court's decisions also enhance the relationship between neighboring States.

It is with that consciousness that I reiterate the need to strengthen the Court, as the principal judicial organ of the United Nations, in the overall UN reform process.

Mr. Chairman,

It is our faith that the responsibility for inspiring the authority of the rule of law is that of every Member State. It should neither be delayed nor transferred.

Indonesia believes that this pursuit requires the complete conviction of States that the rule of law, rather than being a hindrance, helps to establish justice and order, and in the development of mutual trust and confidence.

On our part, Indonesia stands ready to make unremitting efforts for the maintenance and improvement of the rule of law at the national and international levels.

This is our commitment, because we know the rule of law will contribute to common security, prosperity and justice for all.

I thank you.

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