



UNITED STATES MISSION TO THE UNITED NATIONS

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

Sixth Committee

Agenda Item 85

The Rule of Law at National and International Levels

Statement of the United States of America

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October 10, 2013

Thank you, Mr. Chairman.

Last year's High-Level Meeting of the General Assembly on the Rule of Law was a landmark event that placed the rule of law at the center of what we do at the UN. The Declaration adopted at that meeting highlights the centrality of the rule of law to all three pillars of the UN activities.

There has been exciting progress in the field of rule of law this year. These include important Secretariat initiatives such as the Joint Global Focal Point on the Rule of Law, which we welcome, as well as developments such as the Arms Trade Treaty, which the United States was proud to sign two weeks ago.

The pledge document we submitted in connection with the High-Level Meeting is a good example of the strong support we place on rule of law initiatives abroad and at home. Our pledges ranged 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. They also applied to a wide variety of bilateral programs.

I am pleased to report that we have made progress on implementing our pledges over the past year. For example, in the area of access to justice here in the United States, the Department of Justice announced a significant domestic access justice initiative on the occasion of the fiftieth anniversary of the landmark Supreme Court decision *Gideon v. Wainwright*, which held that every defendant in a criminal case has the right to an attorney, even if he or she cannot afford one. In *Gideon*, the Supreme Court recognized the significance of legal assistance in safeguarding due process. This constituted a watershed moment – and a critical step forward – in my country's ongoing efforts to tackle the many challenges we encounter in the continuing pursuit of equal justice for all.

In terms of access to justice on the international level, we supported the adoption of the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems by the General Assembly and continued our funding of public defender programs in several countries that provide criminal defense services to poor men, women and children in numerous countries.

These programs assist post-conflict and transitional countries establish effective public defender systems and help ensure the most vulnerable have access to quality legal representation.

In addition to our own pledges, we note with appreciation the enthusiastic and robust pledges of our fellow Member States and look forward to hearing about progress made in their implementation.

Going-forward, 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 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. We welcome the recognition of this simple fact in ongoing post-2015 discussions, and we congratulate those who have sought to highlight this crucial issue in the post-2015 process. For example, full access to 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, those with disabilities, and LGBT individuals are most susceptible to having their rights infringed upon. Those individuals who need justice the most are also the most likely to slip through the cracks of their country's justice system. No one should feel helpless at the hands of their government. This is why issues related to governance, including rule of law, should be infused throughout the discourse on development and poverty eradication.

Mr. Chairman, distinguished delegates, let me end with an observation based on my personal experience as a practicing attorney for the past four decades. I firmly believe that as attorneys, we have an obligation to ensure that the rule of law remains strong. But as members of the legal profession, it is important to understand that this obligation doesn't call upon us to simply advocate for *law*. Instead, we are called to fight for *just law*. As Dr. Martin Luther King, Jr., wrote in his famous "Letter from a Birmingham Jail," "injustice anywhere is a threat to justice everywhere."

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 last year's high level event and continue our discussions on the rule of law.

Thank you Mr. Chairman.