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**69th Session of the General Assembly
Sixth Committee**

Agenda Item 82: Rule of law at the national and international levels

Statement by Austria

New York, 10 October 2014

Mr. Chair,

Since this is the first time my delegation is taking the floor, we would like to express our great pleasure to see you as Chair presiding the work of the Sixth Committee. We warmly congratulate you and all the members of the Bureau on your election and assure you of our full co-operation and support. We are confident that under your able guidance the session of our Committee will be very successful and productive.

We fully align ourselves with the statement made by the European Union yesterday.

International law and the rule of law are the foundations of the international system. Austria strongly believes that a rules-based international system with clear and predictable rules, which equally apply to all Member States, is an essential precondition for lasting peace, security, economic development and social progress. We call upon all Member States to actively promote an international order based on the rule of law and international law, with the United Nations at its core. This includes ratification and implementation of relevant international agreements and the settlement of disputes by peaceful means, including the International Court of Justice.

Accountability and the fight against impunity for violations of international human rights and humanitarian law are crucial. We must stop mass atrocities and ensure that the perpetrators and those ordering the crimes are brought to justice, including through international criminal justice mechanisms. Austria is a strong supporter of the ICC and has recently ratified the so called Kampala amendments to the Statute of the ICC, and encourages others to do so as well. However, the ICC cannot fulfill its mandate without political and material support and cooperation by Member States. All States must abide by their obligations to cooperate under the relevant Security Council resolutions.

With regards to sanctions regimes, we have consistently advocated for fair and clear procedures in the interest of strengthening the rule of law for effective sanctions implementation and control.

We also believe that our efforts to promote the rule of law should focus more on prevention. While recent years have seen remarkable progress in combating impunity, we need to be better prepared to assist States in their reform efforts already prior to the outbreak of conflict and commend the efforts of the UN System under the leadership of the Deputy Secretary-General to promote "Rights up Front". Austria has repeatedly stressed the interdependence between the rule of law and the protection of human rights, as recognized in the high-level Declaration. We should thus intensify our efforts towards a universalization of international human rights treaties.

The Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, adopted on 24 September 2012 by our heads of state and government emphasized the importance of continuing the consideration and promotion of the rule of law in all its aspects. Furthermore, the General Assembly decided to pursue its work to develop further the linkages between the rule of law and the three main pillars of the United Nations: human rights, development and peace and security. In this regard, we welcome the report of the Secretary-General issued pursuant to paragraph 41 of the Declaration of the high-level meeting and the Secretary-General's recommendations for the comprehensive

consideration of the rule of law and its linkages to the three pillars of the United Nations. Austria stands ready to contribute actively to follow-up initiatives to the high-level meeting and, in aiming to contribute to an open and comprehensive discussion involving various stakeholders, we co-organized a panel discussion together with South Africa and UN Women entitled “Women’s Access to Justice – Challenges and Best Practices” in June this year as a part of the Panel Series on the Linkages between the Rule of Law and the Three Pillars of the United Nations which we have launched together with Finland.

Since access to justice is an important element of the rule of law, Austria’s engagement in the framework of the United Nations as well as in its development cooperation have included a focus on strengthening the rule of law, including access to justice. We therefore welcome the report of the Secretary-General on Strengthening and Coordinating Rule of Law Activities which contains important recommendations on this year’s subtopic of our debate: “Sharing States’ national practices in strengthening the rule of law through access to justice”. Also, I would like to reiterate Austria’s full support for the work of the Rule of Law Coordination and Resource Group as well as the Rule of Law Unit.

Mr. Chair,

Good governance and the rule of law at national and international levels are essential for sustained, inclusive and equitable economic growth, sustainable development and the eradication of poverty and hunger. Therefore, Austria strongly believes that the rule of law, which also includes access to justice, is a crucial element for the success of the Post-2015 development agenda and should have been adequately reflected in Goal 16 of the proposal of the Open Working Group on Sustainable Development Goals.

The rule of law is fundamental for economic development. Both small businesses and large corporations are more likely to thrive where laws are clearly defined, known to the public and applied neutrally. In this regard, we also commend the contribution of UNCITRAL to the promotion of the rule of law at the national and international levels, including in the context of international trade, long-term development, conflict prevention and post-conflict reconstruction.

Most importantly, the challenge of corruption must be addressed. No State is immune to corruption, regardless of social and economic development. Corruption is a true enemy to development - it deters investors and enhances inequalities in societies. The key to success is education and training how to fight and prevent corrupt practices. The International Anti-Corruption Academy (IACA) in Austria provides anti-corruption education and professional training as well as technical assistance.

In addition, Austria promotes the cooperation and exchange between national constitutional courts. A congress bringing together European constitutional courts, was held in Vienna earlier this year. Effective control of national legislation by an independent competent judiciary is a cornerstone of the effective rule of law in the national sphere.

In conclusion, we would like to stress that our efforts to promote the rule of law do not serve an abstract goal, but the protection of the rights and interests of individuals. Austria, also in its role as coordinator of the Group of Friends of the Rule of Law, will continue to give utmost priority to this subject.

Thank you, Mr. Chair.