



Statement on behalf of the European Union and its Member States

By

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at the Sixth Committee

on

**Agenda item 82
"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*, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova and Georgia, align themselves with this statement.

The General Assembly invited the UN Member States to focus their comments in the present Sixth Committee debate on the subtopic *'Sharing States' national practices in strengthening the rule of law through access to justice'*.

We reaffirm our attachment to the Declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels adopted by consensus on 24 September 2012, which emphasises in paragraph 14 the right of equal access to justice for all. We remain committed to giving effect to this right. Within the European Union, the 2014-2020 EU Justice Programme provides funding for schemes which aim to help create a truly European area of Justice, based on mutual trust. The EU is also prioritising rule of law issues in its relations with enlargement countries, including through structured dialogues and targeted financial support.

We welcome the report of the Secretary-General of 24 July 2014 on Strengthening and Coordinating UN rule of law Activities, which dedicates important developments to the issue of access to justice. We welcome the UN efforts to ensure a strategic approach to the broader rule of law work, including the critical work carried out by the UN Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General and supported by the Rule of Law Unit. We also welcome the progress in operationalizing the Global Focal Point arrangement. We praise the actions undertaken by UNDP, OHCHR, UNHCR, UNODC, UNICEF, UN-Women and other organisations such as IDLO, to promote access to justice for all, including refugees, children, women and other vulnerable groups. Mobile legal aid clinics and mobile courts, construction of new courthouses, increased awareness and accessible legal services in rural and remote areas, as well as publication of material with guidance for policy makers and practitioners, represent significant tools towards legal empowerment of people. It is important that those actions are continued in a sustainable way, including through dialogue and various initiatives such as the Conference organised in July by Italy in the context of the Presidency of the Council of the European Union in collaboration with UN entities and IDLO.

Through its financial instruments, the EU is providing concrete rule of law assistance to many countries, in particular with regard to access to justice. It is the case with the EU Justice Support Programmes, implemented in Tunisia, the Democratic Republic of Congo, Guatemala, Philippines, and Bénin, among others. These programmes are complemented by multilateral and bilateral assistance provided by the EU Member States. In addition, many of the EU civilian crisis management operations also focus on the rule of law.

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

As noted in the summary of key messages issued at the high-level event on contributions of human rights and the rule of law in the post 2015 Development agenda on 9 June 2014, the rule of law, including access to justice, was repeatedly raised by UN Member States as fundamental to tackle root causes of poverty and violence.

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 as a principle of governance, equally important in all societies. In the proposal of the Open Working Group for Sustainable Development Goals, the EU would have welcomed stronger language on the rule of law. We continue to believe that the post 2015 development agenda should address issues related to democratic governance, respect for the rule of law and human rights, equality and equity. Rule of law goals and targets can be measured: it is also possible to measure adherence to the rule of law by looking at practical situations, such as whether people have access to justice and the capacity and performance of the justice sector institutions. Rule of law must be included in the post-2015 development agenda. Let us all work together to create a post-2015 development agenda that enables truly sustainable development.

Mr. Chairman,

Judicial institutions have a critical role in the establishment and upholding of peace and security and ensuring human rights. It is essential to ensure accountability for the most serious crimes of concern to the International Community. The perpetrators of such crimes must be held accountable for their actions. We support an effective and efficient interplay between national justice systems and the International Criminal Court in the fight against impunity, in accordance with the principle of complementarity enshrined in the Rome Statute, and bearing in mind the importance of international cooperation and judicial assistance in that matter.

We are 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, ICTR, and the International Residual Mechanism for Criminal Tribunals. We also acknowledge the important role of the Residual Special Court for Sierra Leone, the Special Tribunal for Lebanon and of the Extraordinary Chambers in the Courts of Cambodia and their need for voluntary contributions. We welcome the verdict pronounced on 7 August 2014 by the Judges of those Chambers in the case against former leaders of Democratic Kampuchea Nuon Chea and Khieu Samphan: their condemnation is an important positive step in the fight against impunity; it demonstrates that any political leaders can be held accountable for their acts, even decades after they were committed.

Mr. Chairman,

We welcome the addendum dated 11 July 2014 to the report of the UN Secretary-General on strengthening and coordinating UN rule of law activities, which identifies some of the most important linkages between the rule of law, human rights, peace and security and development. We think that it will be important for the UN General Assembly to consider the ways of strengthening those linkages, which are addressed in Section VIII of this addendum. We continue

to support comprehensive consideration of the rule of law and its linkages with the three pillars of the UN. We also welcome the fact that the addendum recalls the pledges made at the high-level meeting on the rule of law in September 2012. 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. The EU and its Member States will inform the UN Secretariat about the implementation of their pledges by the end of 2014. We encourage further pledges as well as their implementation by UN Member States.

I thank you.