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Statement by Stephen Townley, Deputy Legal Adviser  
69<sup>th</sup> General Assembly Sixth Committee  
Agenda Item 82  
The Rule of Law at the National and International Levels  
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Thank you, Mr. Chairman.

The United States welcomes this opportunity to follow up on the 2012 high-level meeting of the General Assembly on the rule of law, as well as to discuss this year's particular topic: national practices in strengthening the rule of law through access to justice.

We welcome the Secretary General's report on strengthening and coordinating UN rule of law activities and were pleased that consideration of the report was deferred until this session of the General Assembly to permit its fuller analysis. We agree that rule of law is, as the report suggests, multifaceted, cutting across the UN, and we are interested to exchange views on the most appropriate institutional means for the General Assembly and its Committees to address the topic. We would also stress at the outset that any modalities for addressing rule of law must take into account the broad range of legitimate stakeholders. These stakeholders include not only UN components, but also civil society players, such as national bar associations, businesses, and academics.

That said, during the pendency of that discussion, we also believe that we should seek tangible, step-by-step progress in the various UN and UN-related forums where rule of law is currently discussed, whether formally or informally.

Thus, for instance, at the international level, we welcomed the issuance on August 7, 2014 by the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) of the verdict in Case 002/01. This marked an important step forward in efforts to secure justice and accountability for the people of Cambodia. But much more work remains to be done as the ECCC begins the second phase of Case 002; and the UN's effort to support the ECCC requires bolstering.

We all know the essential role of good governance and open and accountable institutions in ensuring inclusive and sustainable development. We welcome the recognition in the report of the Open Working Group on Sustainable Development Goals that "[g]ood governance and the rule of law at the national and international levels are essential for sustained, inclusive and

equitable economic growth, sustainable development and the eradication of poverty and hunger.” It is also critical to highlight the importance of access to justice without discrimination, so that all people, including vulnerable individuals and members of vulnerable groups, can enjoy full exercise of their rights and the benefits of development. We have heard Member States from every region recognize the importance of these issues to development and we look forward to their prominence in the post-2015 development agenda.

At the national level, I am pleased to report that we have made progress on implementing our pledges from the 2012 high-level meeting over the course of the past year. While there is no formal reporting process on such pledges, we hope we can all seize appropriate opportunities to discuss the steps we each have taken. A number of our pledges related to improvements in addressing domestic violence, and I’d like to speak to our work on that issue since we made our pledges.

Just last month, the United States commemorated the twentieth anniversary since the passing of our landmark Violence Against Women Act, including by issuing a Presidential Proclamation on the subject. In March 2013, the law was reauthorized. Its protections were extended, as that Proclamation makes clear, to “make Native American communities safer and more secure and help ensure victims do not face discrimination based on sexual orientation or gender identity when they seek assistance. . . . [and to] provide our law enforcement officials with better tools to investigate rape and increase access to housing so no woman has to choose between a violent home and no home at all. And . . . [the] Administration continues to build on the foundation of this legislation, launching new initiatives to reduce teen dating violence and to combat sexual assault on college campuses.”<sup>1</sup>

These are just a few of the forums where rule of law-related issues are currently discussed. We hope we can seize the opportunities those discussions present.

With this approach of step-by-step progress in mind, I would like to turn to the specific topic for this year’s Sixth Committee discussion: national practices in strengthening the rule of law through access to justice. In particular, I would like to address the role of civil legal aid in access to justice in this, the 40<sup>th</sup> anniversary of the bipartisan passage and signing of the Legal Services Corporation Act, which is “the single largest funder of civil legal aid for low-income Americans, providing help and hope to countless individuals and families who are too often overlooked – and too often underserved.”<sup>2</sup>

We are proud to have supported the adoption of the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems by the General Assembly, which was also one of our pledges from the 2012 high-level meeting, and efforts geared at their implementation, such as the conference on the topic in Johannesburg, South Africa this past June. Providing legal aid in criminal cases can help ensure the most vulnerable have adequate representation and that

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<sup>1</sup> Presidential Proclamation --- Twentieth Anniversary of the Violence Against Women Act (Sept. 9, 2014), <http://www.whitehouse.gov/the-press-office/2014/09/09/presidential-proclamation-twentieth-anniversary-violence-against-women-a>.

<sup>2</sup> <http://www.justice.gov/opa/speech/remarks-attorney-general-eric-holder-legal-services-corporation-40th-anniversary-event>.

we continue our collective pursuit of equal justice for all. But legal aid can and should go beyond the criminal justice system. Civil legal aid to low-income individuals can make an enormous difference, both to the lives of the individuals and to the communities in which they live, by, for instance, promoting access to health and housing, education and employment, and fostering family stability and community well-being. To give a few examples, civil legal services can be provided to veterans to help them secure benefits for which they are eligible, or to prevent elder abuse and domestic violence, or to help keep children in school or remove barriers to employment for people with criminal records.

In particular, I'd like to focus on the example of domestic violence, a topic I have already addressed in connection with the follow up to our pledges. Internationally, the World Health Organization has estimated that 35% of women have experienced either intimate partner violence or non-partner sexual violence in their lifetime. Nearly one in four women in the United States has experienced domestic violence. In addition to being intolerable on its face, these facts have severe repercussions. Children who have been exposed to violence are more likely to require hospitalization or mental health services, and are more likely to be involved in the child welfare and juvenile justice systems. Victims of intimate partner violence in the United States lose a total of nearly 8 million days of paid work each year – the equivalent of more than 32,000 full-time jobs – and nearly 5.6 million days of household productivity as a result of the violence.<sup>3</sup>

The U.S. Violence Against Women Act provides for funding for civil legal aid to victims. Among the ways civil legal aid can help are: (1) preventing future violence by facilitating obtaining, renewing and enforcing protective orders in court; (2) securing or modifying child custody orders so that a mother and her children can legally and safely leave the batterer; or (3) resolving identity theft and other forms of financial exploitation perpetrated by abusers against survivors of domestic violence. Civil legal aid can thus help mitigate the terrible consequences of domestic violence. In fact, as Vice President Biden has remarked, “[r]esearch tells us that effective legal representation is the single most important factor in whether victims are able to escape this domestic violence cycle.”<sup>4</sup>

But U.S. work on civil legal aid for victims of domestic violence is just one example of the role such programs can play. While – like many of you, I'm sure – there are limits to what the U.S. government can fund and provide, we believe for these reasons that it is critical to highlight the value of civil legal aid in access to justice. We would also be interested to hear more from others about their approaches in this area.

In conclusion, we look forward to continuing to follow up the 2012 high-level event, both in discussing how to take rule of law forward at the UN, but also in how we can make step-by-step progress, starting, perhaps, with issues like civil legal aid.

Thank you Mr. Chairman.

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<sup>3</sup> <http://www.justice.gov/atj/legalaid/domestic-violence-case-study.pdf>.

<sup>4</sup> <http://www.justice.gov/atj/legalaid/domestic-violence-case-study.pdf>.