

Statement on behalf of the African Group by Thembile Joyini, Charge d’Affaires a.i., Permanent Mission of South Africa to the United Nations, in the Sixth Committee of General Assembly under Agenda Item 85 “Rule of Law at the National and International levels”

14 October 2015

Mr Chairman

Thank you for affording me the floor. My delegation, once again, has the honour to speak on behalf of the African Group. The African Group aligns itself with the Statement delivered by the distinguished representative of the Islamic Republic of Iran speaking on behalf of Non-Aligned Movement. At the outset, the African Group would like to thank the Secretary-General for his report which highlights United Nations rule of law developments and activities at the national and international levels over the past year. The report emphasizes developments related to the role of multilateral treaty processes in promoting and advancing the rule of law, the subtopic chosen for consideration at this seventieth session of the General Assembly under agenda item entitled “The rule of law at the national and international levels”.

Mr Chairman

The African Group statement is in line with this year’s theme “The role of multilateral treaty processes in promoting and advancing the rule of law”, a topic of great importance to the African States. The African Group is of the view that Multilateral treaties are an integral aspect of a comprehensive and robust international legal framework, as a mechanism to ensure that the rule of law governs the relations between States of all sizes. The importance of multilateral treaties had been emphasized already in the UN Charter, the Preamble of which underlines the collective resolve of Member States “to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained”. Multilateral treaty processes enhance universality, consolidate international consensus and provide certainty and accountability on rights and obligations of States. These are all critical elements of the rule of law. Multilateral treaties also facilitate peaceful settlement of disputes.

Mr Chairman

The African Group agree that the rule of law is a broad and complex concept embedded in the history of all cultures and nations as well as in the long-standing efforts of States to create an international community based on law. And, also, it is linked to critical goals such as poverty reduction and sustainable human development as well as to peace-building and peacekeeping, accountability for gross violations of human rights and combating organised crime and terrorism. It is common cause that strengthening the rule of law is central to achieving the vision of the United Nations for a just, secure and peaceful world.

Mr Chairman

Capacity building is key for the promotion of the rule of law at the national level and for strengthening national capacities of Member States, including through enhanced technical assistance. We believe that capacity-building and rule of law activities, should be anchored by two interrelated concepts in determining needs and priorities, namely effectiveness and local or national ownership. Together these principles require partnership and mutual respect between the providers and recipients. It is also necessary to take into account the customs and national political, socioeconomic realities and laws of each recipient state. In this regard, the African Group notes the various activities of the Rule of Law Unit under the guidance of Rule of Law Coordination and Resource Group, aimed at bringing about better coherence, coordination and quality of rule of law capacity-building activities both within the Organization and at country level. Efforts by the Rule of Law Unit to explore initiatives to enable donors, recipients and other entities involved in financing rule of law activities to work in a more collaborative and coordinated manner, must be encouraged.

Mr Chairman

Being a strong defender of a balanced approach towards both levels of the rule of law, national and international, the African group supports effective implementation of international obligations on the national level. We call upon states to contribute to ensuring that the rules of various international law instruments adopted by States are effectively implemented in domestic systems according to their national legislation.

I thank you for your attention.