

**Algeria**



**الجزائر**

Permanent Mission of Algeria  
to the United Nations  
New York

بعثة الجزائر الدائمة  
لدى الأمم المتحدة  
نيويورك

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**70<sup>th</sup> Session of the United Nations General Assembly**

**Statement by**

**Mr. Mehdi REMAOUN**

**First Secretary**

**to**

**The Sixth Committee on “The rule of law at the national and international levels”**

*[Agenda Item 85]*

**Trusteeship Council Chamber, 15 October 2015**

**Thank you Mr. Chairman,**

Algeria aligns itself with the statements made by South Africa on behalf of the African Group and by Iran on behalf of the Non-Aligned Movement.

At the outset, I would like to express the appreciations of my delegation to the Secretary General's report entitled "Strengthening and coordinating United Nations rule of law activities" (A/70/206), wherein he focused on developments related to the role of multilateral treaty processes in promoting and advancing the rule of law, for consideration under this agenda item.

**Mr. Chairman,**

Algeria believes that there is complementarity and interdependence between the rule of law at national and international levels, the promotion of one helps to promote the other. The development of the rule of law, at both national and international levels, contributes also to enhance the three pillars of the United Nations (UN): peace and security, development and human rights.

Rule of law at the international level should be equally applied to all States and International Organizations, including the UN and its principal organs. In this context, Algeria emphasizes the importance of rule of law and accountability at the UN and supports the initiative aiming to hold UN officials on mission accountable for their actions.

Moreover, the primary role of the General Assembly in the promotion of the rule of law, in all its aspects, is paramount and should be strengthened, particularly by encouraging the progressive development of international law and its codification. In this regard, the revitalization of the work of the General Assembly, which is entrusted with global sovereignty, as well as the whole process of the UN reform, have to be carried out in a way that seeks first and foremost the promotion of the rule of law at the international level. This goes with a harmonious and more balanced relationship between the principal organs of the UN, particularly the General Assembly and the Security Council. This is why my delegation would like to reiterate its call for a comprehensive reform of the Security Council, including its expansion in both categories of membership, with addressing the  *veto*  issue, and to correct the historical injustice done to the African Continent.

**Mr. Chairman,**

Treaties and international law define the legal responsibilities of States in the conduct of their international relations and establishes the obligations of each State towards all individuals within its territory and subject to its jurisdiction. In this respect, the Preamble to the Charter of the UN underlines the collective resolve of all nations to respect the obligations arising from treaties and other international law sources.

**Mr. Chairman**

Double standard and selective application of international law must be rejected. We observe that implementation of international obligations at the national level is not always effective. This is why ensuring that all States equally respect and comply with their obligations under treaties and international law remains a key issue. In this context, violations of international law must be addressed by peaceful means in accordance with the UN Charter.

In connection with international peace and security, the selective application of international law, I referred to before, is one of the reasons why some conflicts have still not been resolved. While international law and multilateral treaties are supposed to facilitate peaceful settlement of disputes, taking into account the relevant role of International Court of Justice according to the UN Charter, we see, despite all the efforts deployed, that Palestine and Western Sahara conflicts persist over time. Concerning the latter, while International Court of Justice recognized, exactly 4 decades ago on tomorrow (16 October 1975), the right to self-determination of the people of Western Sahara, holding a referendum has not been possible to date. We hope that a definitive date will be promptly decided for the organization of a referendum, in accordance with relevant resolutions of the General Assembly and the Security Council, as urgently requested by the African Union Summit held last June in South Africa.

Self-determination is a core principle of international law, arising from customary international law, but also recognized as a general principle of law, and enshrined in a number of international treaties, including the UN Charter. In this context, Algeria reaffirms support for people's right to self-determination and to decide their own destiny in the international order. In the same vein, international community expressed 10 years ago, through the 2005 World Summit Outcome, determination to remove obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation, which continue to adversely affect their economic and social development as well as their environment.

**Mr. Chairman,**

With regard to the rule of law at the national level, Algeria made considerable efforts aiming at strengthening the rule of law.

Article 132 of our Constitution states that "*Treaties ratified by the President of the Republic, in accordance with the conditions provided by the Constitution, are superior to the law*". This binding provision leads to the adaptation of our national legal system to the international law.

It is worth recalling that Algeria has ratified or adhered to all the major international treaties and conventions and subsequently integrated their provisions into its national legal system. The last instrument was the Doha Amendment regarding climate change, and officially published on the treaties website of the UN last September 28. We seize this opportunity to urge Member States who have not yet ratified the Doha Amendment to do so, by the end of this year, in light of the upcoming Paris Conference on climate change (COP21). My delegation hopes that the legally binding outcome of this climate negotiations process, co-chaired by Algeria and the United States, will be ambitious and in accordance with the principles and provisions of the UN Convention on climate change, covering mitigation, adaptation, finance, development and transfer of technology and capacity building. Moreover, the legal form of the future agreement, whether it will be a protocol, another legal instrument or an agreed outcome with legal force, any attempt to rewrite or reinterpret the Convention through that agreement will be at odds with the rule of law at the international level.

**Mr. Chairman,**

Algeria has played, plays and will continue to play a decisive role in the stabilization of its entire sub-region. In this regard, Algeria assists and cooperates with its neighbors in combating and eradicating terrorism. As such, Algeria hosted the International Conference to counter violent extremism and de-radicalization, sanctioned by an outcome containing a set of recommendations. This, we believe, could serve as inputs to the much needed and requested comprehensive Convention for combating international terrorism.

Algeria's regional positive role in stabilization resulted also in restoring and strengthening stability peace and security in neighboring countries, preserving their national unity and territorial integrity, creating the necessary conditions for development in the region, which contributes to the enhancement of the rule of law. In this context, my delegation underlines the importance of accompanying national authorities in re-establishing or strengthening justice institutions in post-conflict situations, which is instrumental to avoid a relapse into violent conflict and to promote the peaceful resolution of disputes and a secure environment. People must rapidly enjoy the benefits of peace so as to avoid falling again into cycles of violence.

Finally, **Mr. Chairman**, I would like to draw the attention of our committee to the value of capacity building. This is important for many developing Member States. At the international level, regarding skills of treaty negotiators and, at the national level, for the promotion of the rule of law and strengthening national capacities.

**I thank you.**