



October 15, 2015

UNGA 70/ SIXTH COMMITTEE / AGENDA ITEM: 85 - THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

REMARKS: BY MR. SAHAK SARGSYAN, FIRST SECRETARY, PERMANENT MISSION OF ARMENIA TO THE UNITED NATIONS

Mr. Chair,

This is a critical juncture. The world is marking several important anniversaries, including 15 years of the Millennium Declaration, 10 years of the World Summit Document, most importantly, the 70th anniversary of the inception of the UN Charter and the establishment of the United Nations. Furthermore, our global community is embarking on next generation of the development goals. All these are important reasons to underline our collective adherence to the rule of law as a fundamental condition for the promotion of the purposes and principles of the United Nations.

In this context, Armenia welcomes the adoption of the Agenda 2030, which contains a stand-alone goal among other SDGs to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Target 16.3 specifically refers to promotion of the rule of law at the national and international levels. We see the national and global levels of sustaining and promoting the rule of law as mutually inclusive - not exclusive. While recognizing the national ownership of the rule of law, we believe that promoting the notion of the rule of law at international level should be adequately highlighted. The new SDGs come to prove the linkages between the rule of law and the three inter-linked and mutually reinforcing pillars of peace and security, human rights and development.

We firmly believe that the rule of law and equal access to justice play important role in fighting impunity both at home and abroad. Armenia is of a strong view that human rights, including all peoples right to self-determination, the rule of law and democracy are universal values bound together as core principles of the United Nations. As a nation who experienced the first genocide of the 20th century 100 years ago and continues to face the denial of this horror, Armenia reaffirms its strong support to the fight against impunity for the most serious crimes, such as genocide and crimes against humanity. These crimes may be committed in situations where international judicial mechanisms are inefficient and the integrity of the domestic justice system of a state is seriously challenged by the perpetrators of the crime. Armenia continues to contribute

decisively to the fight against impunity and the creation of atrocity prevention mechanisms. Based on HRC Resolution 28/34, presented by Armenia last March, my Delegation initiated a GA Resolution designating December 9 as "International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime". These resolutions provide an additional platform and tool for the Member States and the United Nations system to promote collective efforts towards strengthening the UN mechanisms for the prevention of atrocities and the promotion of international peace and security, reaffirming that fighting impunity for such crimes is an important factor in their prevention.

Mr. Chair,

Armenia welcomes the Secretary General's report on "Strengthening and coordinating United Nations rule of law activities", contained in document A/70/206, which illustrates the developments related to the role of multilateral treaty processes in promoting and advancing the rule of law. Multilateral treaty processes convened by the UN General Assembly and contributions by the International Law Commission have played an essential role in the implementation of the UN's mandate. In this respect, my Delegation expresses its appreciation to the UN Office of Legal Affairs and the Rule of Law Coordination and Resource Group, which contributed to enhancing the efforts to this end.

As a small state and a party to numerous international treaties, we, in Armenia, think it is through multilateral treaty processes that the world can best achieve binding solutions and delivering tangible results for the populations in the face of the growing challenges of the world. From this perspective, the multilateral treaty processes are essential as they develop equal opportunities in promoting and advancing the rule of law and ease the effects of power disparities. By promoting compromises and consensus, we create widely accepted obligations and standards leading to the stability and further strengthening the rule of law at the national and international levels. The deliberations today under this agenda item prove the common understanding that small states through multilateral treaty processes can effectively contribute to an international order based on fair and rule-abiding governance.

Mr. Chair,

It is our firm belief that furtherance of the rule of law internationally can only be sustained if it has a strong domestic footing. Armenia's Constitution guarantees that all persons are equal before the law and everyone is entitled to equal access to the legal system. Since regaining its independence, Armenia recognized the priority of the broad based reform and institution building in the public administration, necessary for the effective functioning of the state in securing the protection and promotion of human rights and development of its population. One of the key building blocks has been the creation of a more efficient, effective, and independent

judiciary to be better able to provide services to citizens and to promote a more predictable rule of law environment. A second phase of judicial reform began with a constitutional amendment in 2005 intended to reduce the dominant role of the presidency in the court system and increase the independence of the judiciary. A Judicial Code passed in 2007 further reorganized the courts and introduced a doctrine analogous to precedent in common law systems.

We do not claim to have achieved a perfect condition, however, the judicial reform agenda remains as ever an ongoing priority for the Government. An important goal of the 2012-2016 Strategic Program for new generation of legal and judicial reforms in Armenia is to ensure a fair, effective and publicly accountable judiciary, by addressing existing challenges to its independence. With this program the government attaches focus to reforming the roles of judicial administration bodies and of court presidents, on amending the criteria and procedures for evaluating the performance of judges, and on establishing a new Justice Academy. A multi-stakeholder and inclusive process of ensuring broad public discussions to scrutinize the need for new constitutional reforms has concluded this month. Our population will soon vote in a referendum on a package of Constitutional reforms for a new and improved governance system aimed at increasing its transparency and accountability. Armenia has been closely working with its international partners, most notably within European institutions, to advance its reform agenda. The constitutional reform package has received full support and commendation of the Venice Commission of the Council of Europe.

The vibrant civil society is a clear indication of a stable and growing democracy, as well as an important contributor to safeguarding the effective enforcement of the rule of law. In Armenia, we are proud to have an ever-stronger civil society and diversity of CSOs, which are an integral part of Armenia's public life. Equally, our media plays a crucial role in providing diverse information on matters of public interest.

Mr Chair,

It is our strong view that the international community should continue to promote collectively and forcefully the adherence of states to the rule of law and fundamental norms and principles of human rights. Economic, commercial and other interests, often considered as *realpolitik*, should not devalue international cooperation to this end. The opposite is a major source of fuelling instability both at national, regional and international levels.

In closing, I would like to underline Armenia's determination to closely work with other member states and international organizations for the common goal of further enhancing the rule of law.

Thank you