



BRAZIL
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Sixth Committee: “The Rule of Law at the National and International Levels”

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Mr. Chairman,

Brazil aligns itself with the statement delivered by Ecuador on behalf of CELAC and thanks the Secretary-General for his annual report on this agenda item. As we approach the 70th anniversary of the entry into force of the UN Charter . no doubt, the most important multilateral treaty ever written . my delegation looks forward to engaging in a fruitful debate on the role of multilateral treaty processes in promoting and advancing the rule of law.

Mr. Chairman,

Seven decades ago, this Organization was established on the ideal of building an international order based on justice and cooperation. Upholding International Law, with the UN Charter at its centre, is not only desirable . it is the only responsible course of action. Regrettably, the first years of the 21st Century offer signs of systemic stress, that carry the risk of eroding the existing order and undermining respect for the UN Charter, especially regarding the rules governing the use of force.

The negative effect of such transgressions is not limited to tragic consequences in terms of human casualties, humanitarian crises and destabilization in certain regions of the world. They are also problematic from a systemic perspective, since these expressions of disregard for International Law indirectly encourage other actors behave likewise.

As we celebrate the 70th anniversary of the UN Charter, let us all renew our commitment to its letter and spirit and preserve the fundamental notion that no State is above the law. Abiding by the rule of law at the international level means that no single country, no matter how powerful, is exempt from rigorous compliance with its legal obligations, or beyond reproach for circumventing International. Claims of exceptionalism are intrinsically incompatible with a law-based multilateral system. As we transition towards a multipolar world order, fraught with new challenges in the field of peace and security, one stark reality to be confronted is that either the UN Charter will remain at the center of the international order, or there will be no order.

Mr. Chairman,

We should seize this 70th anniversary to reflect on the contradictions, asymmetries, gaps and weaknesses of this Organization. Most importantly, we need to go beyond mere expressions of frustration and propose solutions that contribute to enhance multilateralism through ensuring respect for International Law and through fostering its progressive development and codification.

Brazil has undertaken a number of initiatives not only to enhance the role of diplomacy, but also to strengthen the rule of law in a variety of issues. Such was the spirit which led to the proposal destined to introduce certain agreed parameters for protecting civilians when the use of force is contemplated,

known as "responsibility while protecting" (A/66/551-S/2011/701). Similarly, we have been working with Germany in the Third Committee and in the Human Rights Council to safeguard the right to privacy in the digital age and ensure that human rights are equally protected offline and online.

As we prepare for a broad review of peace operations, of the peacebuilding architecture and of the role of women, peace and security, the 70th General Assembly will have the opportunity to update policy tools on the basis of a contemporary vision for applying the UN Charter in its core function. We must recognize, at the same time, that the questions related to governance in the area of peace and security will need to be tackled with a sense of urgency during this session of the General Assembly. It is worth highlighting that member States in their majority have already expressed the need to amend the UN Charter in order to enlarge the Security Council in both categories of members.

Mr. Chairman,

Brazil has been a supporter of the work of the United Nations, spearheaded by the General Assembly, in the progressive development and codification of International Law. These initiatives have been consistently contributing to meet the demand for strengthening our rule-based international order, as well as adapting its norms to adequately address old and new challenges. I take this opportunity to voice my country's recognition for the pivotal role of the International Law Commission (ILC) in this regard, as well as of this Committee.

Over the last decades, the international community has also been creating multilateral legal frameworks without necessarily resorting to the prior work of the ILC or the Sixth Committee. This current trend does not mean that there is a decreasing role for this Committee. Quite on the contrary . it can, and should, serve as a platform to exchange views on recent developments regarding the Law of Treaties achieved through other processes. This cross-fertilization exercise would contribute both to update our understanding on the current practice and to bring more unity to the dense web of multilateral treaties.

I would also like to take this opportunity to commend the work of the Office of Legal Affairs, including its Treaty Section, in discharging the functions of the Secretary-General regarding the registration and publication of treaties, which stem directly from Article 102 of the UN Charter, as well as regarding its role as depositary of multilateral treaties. We encourage the Secretariat to continue updating its practices in light of new communication technologies, without losing sight of the fact that access to technology is still unequal. Brazil echoes CELAC's call for a comprehensive review of the existing practices and regulations so as to, in consultation with Member States, identify the need to make any further improvements in this regard.

Brazil also welcomes the "Regional Seminar on Treaty Law and Practice for States of the region of Latin America and the Caribbean", which was held in Paraguay last May.

Mr. Chairman,

At the national level, promoting access to justice for all is pivotal for tackling the root causes of poverty and exclusion, since it enables the full enjoyment of human rights and of public services. As we move towards the implementation of the 2030 Agenda on Sustainable Development, we stress the increasing importance of providing free legal aid to vulnerable populations, advancing towards universal birth registration and fostering extra-judicial dispute resolutions methods, such as mediation and conciliation. Our efforts aiming at access to justice will further strengthen the rule of law the national level at lead to more inclusive societies.

Thank you.