

**PERMANENT MISSION OF DENMARK  
TO THE UNITED NATIONS**

Nordic statement by

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**Trusteeship Council Chamber**

Sixth Committee  
4<sup>th</sup> meeting, 14 October 2015

**Agenda item 85:  
The rule of law at the national and international levels**

**Statement by  
Denmark, Finland, Iceland, Norway and Sweden**

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Thank you, Mr Chairman.

I have the honour to speak on behalf of the five Nordic countries; Finland, Iceland, Norway, Sweden and my own country, Denmark.

How to strengthen the rule of law at both the national and the international level is a key concern to the Nordic countries. We appreciate this opportunity to discuss how to promote the rule of law, as well as to elaborate on this year's particular subtopic regarding the role of multilateral treaty processes in promoting and advancing the rule of law.

At the outset we would like to thank the Secretary-General for his most recent report on strengthening and coordinating the United Nations' rule of law activities. The report shows the important role the United Nations plays in securing rule of law across the globe, and it clearly illustrates how multidimensional the process of promoting rule of law is.

The Nordic countries look forward to discussing how to further strengthen the linkages between the rule of law, human rights, peace and security and development as proposed in the Secretary General's report<sup>1</sup> from last year, which was submitted to the General Assembly as a follow-up on the High-Level Declaration<sup>2</sup> from 2012. A forward-looking strategy or plan of action could be agreed upon to take our common agenda forward.

Although the rule of law agenda might seem very broad, we believe in the importance of maintaining a comprehensive approach to the concept of rule of law. This approach calls for strong coordination and coherence within the UN system. The Rule of Law Coordination and Resource Group and the Rule of Law Unit play a key role in this respect. We welcome the Secretary-General's efforts in enhancing coordination and coherence of rule of law activities across the whole UN system. In the same vein, we also welcome the regular informal briefings on the rule of law held throughout the 69<sup>th</sup> session co-hosted by the Rule of Law Unit and Austria, Liechtenstein and Mexico.

Also, we greatly appreciate that the President of the General Assembly, Mr Lykketoft, has underlined the importance of rule of law and has chosen to focus one of the three high-level events on the implementation of human rights, governance, rule of law and gender

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<sup>1</sup> A/68/213/Add.1, dated 11 July 2014.

<sup>2</sup> A/RES/67/1, dated 30 November 2012.

aspects. We look forward to the debates and to hopefully pragmatic and action-oriented outcomes.

Mr Chairman,

While rule of law at the national level is and should be at the core of this agenda item, we would like to provide some comments relating to the role of international courts and tribunals.

The Nordic countries have always been strong supporters of the international courts and tribunals. Their work for peaceful settlement of disputes and the advance of rule of law at the international level cannot be underestimated. Again, we call on Member States, not yet having done so, to consider accepting the compulsory jurisdiction of the International Court of Justice, in accordance with the Statute.

Also, the Nordic countries are convinced that international and hybrid criminal courts and tribunals can play a crucial role in securing rule of law in situations where legal processes, for various reasons, are *de facto* unavailable at the national level. The world needs enhanced international effort in strengthening the international criminal justice system. It is a precondition for every lasting and inclusive peace that justice is brought to victims of mass atrocity crimes. At the same time it is vital, that states shoulder their responsibilities at the national level where needed and close any impunity gaps for international crimes that might exist, complementing efforts by international jurisdictions. Enhanced cooperation and assistance is important in this regard. We encourage the United Nations to continue and further strengthen the cooperation with the International Criminal Court, and we encourage all member states to accede to the Rome Statute.

Mr Chairman,

The rule of law and development are mutually reinforcing. The Nordic countries appreciate that the new 2030 Agenda for Sustainable Development clearly acknowledges that sustainable development cannot be realized without the rule of law and good governance. It is immensely positive that goal 16 is dedicated to the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels. We are looking forward to further unpacking the content of this goal as we embark on the implementation of this new agenda.

Mr Chairman,

I will now be turning to the subtopic regarding the role of multilateral treaty processes in promoting and advancing the rule of law.

The Nordic countries hold a long tradition of negotiating and concluding treaties and please allow us to provide some exemplification from our own region. The Nordic countries have a long tradition of a close regional cooperation within a broad range of subjects. Hundreds of treaties have been concluded between our nations. We firmly believe that this extensive and close cooperation has improved the rule of law in the region. The open and active cooperation has helped to build trust and to create close and friendly relations among the Nordic people.

On a more general note, multilateral treaty processes are constantly evolving to respond to the transformations of the international community and the needs of an increasingly globalized world. This is obviously a positive development. Every treaty is a sign of trust and international cooperation. However, we should try to avoid creating treaties that are only sparsely ratified and in some cases never entered into force. Such situations might create a blurred legal situation and thereby create an obstacle to the rule of law at the international level. Also, it takes unnecessary resources.

Mr Chairman,

Finally, let me emphasize that the rule of law cannot be described as simply a legal doctrine or a set of principles. Doctrines and principles are only relevant if they are transformed into practice. We have to remind ourselves that it is only our actions that give meaning to our principles.

Therefore, the Nordic countries are satisfied that promotion of the rule of law at the national and international levels is now firmly established as a core UN task across the three pillars of the UN. Rule of law is both a goal in itself, embracing democracy, good governance and human rights, and an essential method for the achievement of other goals, including promoting peace and security.

The relevance of the whole concept of rule of law must be judged on how we – in both our international and domestic affairs – apply it on a daily basis.

Thank you, Mr Chairman.