

71st Session of the General Assembly

Sixth Committee

Agenda Item 84: Rule of law at the national and international levels

Statement by Austria

New York, 5 October 2016

Mr. Chair,

International law and the rule of law are the foundations of the international system. Therefore, Austria is proud to serve as **coordinator of the Group of Friends** of the Rule of Law, consisting of over 40 States.

Given the upcoming transition in leadership of the United Nations, at a recent meeting of the Group of Friends, we expressed our commitment to support the **rule of law as a priority for the new Secretary-General**. As coordinator of the Group of Friends, Austria underlines the importance of continuing to give high priority to the rule of law as cornerstone of the legitimacy and sustainability of all areas of work of the UN. We recognize advances made in the past ten years to improve coordination, coherence and effectiveness of the UN-system's rule of law work, and note that new system-wide policy developments, such as the Agenda 2030 adopted by the General Assembly and the Secretary General's Plan of Action on Preventing Violent Extremism, give central place to the rule of law. We emphasize the importance of having the leadership on the rule of law placed at sufficiently high level in the EOSG, with a mandate to bring together all relevant parts of the UN.

Mr. Chair,

Austria fully aligns itself with the statement made by the European Union.

I would like to thank the Deputy Secretary General for introducing the item this year, and I would like to express Austria's sincere appreciation for his dedication and tireless leadership in advocating and strengthening the rule of law.

Austria strongly believes that a rules-based international system with clear and predictable rules is an essential precondition for lasting peace, security, economic development and social progress. We call upon all Member States to actively promote an international order based on the **rule of law and international law**, with the United Nations at its core. This includes ratification and implementation of relevant international agreements, including international human rights treaties, and the settlement of disputes by peaceful means, including the International Court of Justice.

Accountability and the fight against impunity for violations of international human rights and humanitarian law are crucial, as is **compliance** with international human rights and humanitarian law. We must increase our prevention efforts, must stop mass atrocities and ensure that the perpetrators are brought to justice, including through international criminal justice mechanisms. Austria is a strong supporter of the ICC and has ratified the Kampala amendments to the Statute of the ICC. We have incorporated all Rome Statute crimes, including the crime of aggression, into our national criminal code and support activation of the ICC's jurisdiction over this crime in 2017. However, the ICC cannot fulfill its mandate without political and material support and cooperation by Member States. All States must abide by their obligations to cooperate under the relevant Security Council resolutions and fully implement the ICC's arrest warrants.

Austria has actively and consistently supported the rule of law at the national and international levels in the context of the United Nations. We have contributed to discussions on the rule of law in the 6th Committee and beyond, inter alia by offering **informal briefings** together with Mexico and Liechtenstein and of course the Rule of Law Unit and the members of the Rule of Law Coordination and Resource Group. We highly commend the work of the Rule of Law Coordination and Resource Group, which includes over 20 UN entities, and the Global Focal Point in promoting system-wide coherence and strongly support the work of the **Rule of Law Unit**.

Austria welcomes the **Secretary-General's Report on strengthening and coordinating United Nations rule of law activities** this year, which very usefully highlights the many cross-cutting areas where the rule of law is relevant, both at the national and international levels.

Mr. Chair,

Turning to the subtopics of this year's debate, Austria would support reflecting elements of this debate in the annual resolution on the rule of law, while following up on the elements included from last year's debate on the subtopic relating to multilateral treaties.

As to the subtopic "**implementing multilateral treaties**" I would like to reiterate Austria's strong commitment to multilateral treaties as the foundation of an international order based on the rule of law. In this regard, Austria attaches particular importance to the work of the **International Law Commission**. I would also like to commend the excellent work of the **UN Treaty Section**.

Where implementation of multilateral treaties is concerned, Austria attaches great importance to the work of the United Nations in offering technical assistance and capacity building to States at their request. In particular, UNODC assists States in aligning their national legislation to multilateral instruments in such fields as countering terrorism, organized crime and corruption. In relation to countering corruption, Austria encourages States and other partners to cooperate with the International Anti-Corruption Academy, an international organization based in Austria with now nearly 70 members, which offers training and workshops for national officials and other stakeholders in fighting corruption.

As far as monitoring implementation and compliance with multilateral treaties are concerned, Austria strongly supports the work of the **human rights treaty bodies**, including their practice of elaborating general comments. We attach crucial importance to these and similar mechanisms, such as Commissions of Inquiry, which enable States to ensure full implementation and compliance with multilateral treaties. In this regard, also the **Universal Periodic Review** in the framework of the UN Human Rights Council plays an important role, and we believe that it is essential that all States continue to cooperate with this mechanism. Austria attaches great importance to fully implementing its obligations under multilateral treaties and fully supports the work of international courts and tribunals, as well as regional courts such as the European Court of Human Rights and other mechanisms created to ensure compliance with international obligations.

The second subtopic this year, "**access to justice for all**", constitutes an important element of the rule of law. Austria strongly believes that its implementation is crucial

for the success of the Agenda 2030. Therefore, Austria's engagement in the framework of the United Nations as well as in its bilateral development cooperation has included a focus on strengthening the rule of law, including access to justice. Austria has contributed, among others, to the UN Women Global Programme on Access to Justice for Women and has participated in training of justice and police professionals in various regions.

Good governance and the rule of law at national and international levels are essential for sustained, inclusive and equitable economic growth, sustainable development and the eradication of poverty and hunger. Therefore, Austria strongly advocated for the rule of law throughout the negotiations on the **Agenda 2030**, which we adopted in September. Austria believes that the rule of law continues to be a crucial element when it comes to the implementation of the goals we have set for ourselves and for measuring our success in reaching them.

As to **future subtopics** for our annual debate, Austria could envisage following up on the topic of multilateral treaties in relation to compliance – such as “Strengthening the rule of law through compliance with multilateral treaties”. In addition, we would also support topics connected to the implementation of the rule of law related aspects of the agenda 2030, such as engaging in an “exchange of national practices on eliminating discriminatory laws and practices against women” or “Promoting the rule of law through fair, transparent and accountable national criminal justice systems based on respect for human rights”.

Mr. Chair,

The 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, emphasizes the importance of continuing the consideration and promotion of the rule of law in all its aspects. Furthermore, the General Assembly decided to pursue its work to **develop further the linkages between the rule of law and the three main pillars of the United Nations**: human rights, development and peace and security. Austria continues to support further consideration of this topic and commends the President of the General Assembly for his successful event during the 70th session highlighting the intrinsic connection between human rights and the rule of law. In addition, Austria encourages others to follow up on **voluntary pledges** made on the occasion of the high-level meeting and encourages further pledging regarding the rule of law at the national and international levels.

In conclusion, I would like to stress that our efforts to promote the rule of law do not serve an abstract goal, but the protection of the rights and interests of individuals. Austria, also in its role as coordinator of the Group of Friends of the Rule of Law, will continue to give utmost priority to this subject.

Thank you.