



Declaration on behalf of the European Union and its Member States

by

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First Secretary
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at the Sixth Committee

on the agenda item 84

“The Rule of Law at the national and international levels”

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EU statement
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"The Rule of Law at the national and international levels"
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Mr. Chairman, I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Turkey, the Former Yugoslav Republic of Macedonia*, Montenegro*, Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We would like to thank the Deputy Secretary General Amina Mohammed for her presentation of the report. We are satisfied to see the Rule of Law Unit continuing its work within the Executive Office of the Secretary General. It demonstrates that the Rule of law remains a high priority for the Secretary General and will allow the Secretariat to further develop the linkages between the rule of law and the three main pillars of the United Nations: peace and security, human rights and development.

Respect for the rule of law is an essential condition and enabler for peace, stability and development and needs to be pursued at both national and international levels. Multilateral treaties play a key role in laying down common rules for all nations and strengthening a rules-based international system.

Support for the justice sector is one of the principle avenues for promoting the rule of law, democratic governance, citizen's security, gender equality and respect for human rights. An effective national legal system, operating compatibly with a State's international legal obligations, leads to greater political and socio-economic stability, boosting entrepreneurship as well as public and private sector investment.

Mr. Chairman, the EU and its Member States commend the United Nations for strengthening accountability for international crimes at the national level as well as for their activities to strengthen the rule of law at the national level by supporting justice and security sector reforms, by endeavouring to reduce illicit flows of small arms and light weapons and criminal violence, by allowing access to justice for marginalised groups and by working to ensure security and justice for all, including women and girls.

We also welcome the activities of the United Nations with a view to promoting the rule of law at the international level through the codification of an international legal framework, through the support to international and hybrid courts and tribunals as well as other international accountability mechanisms like the International, Impartial and Independent Mechanism to assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law committed in Syria and through the legal and judicial responses to issues of serious global concern such as climate change, migration, terrorism and violent extremism and transnational organised crime.

* *The Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

The EU and its Member States commend the United Nations commitments for making United Nations Rule of Law assistance more effective, sustainable and coherent through the three pillars of the Organisation, in particular but not only in the Central African Republic, Mali and in the Democratic Republic of Congo. A lot of work has been done, but also a lot remains ahead of us. We would like to thank the Secretary General for his excellent report A/72/268. We welcome in particular the emphasis put on the activities and the United Nations' commitments towards more targeted rule of law support to Member States to enhance real impact on the ground. At the same time we notice the lack of system-wide initiatives and the persistence of the interoperability challenges and we believe it would be useful to ask the Secretary General to deepen his assessment and analysis, including in the context of the ongoing efforts to bring more efficiency and reform across the areas of development, peace and security, management and counter-terrorism. Also in the current context of the implementing phase of the 2030 agenda, the rule of law dimension is essential in delivering concrete results on eliminating poverty, reducing inequalities, supporting gender equality, protecting the environment and creating just, inclusive and strong institutions. We welcome the invite addressed to Member States to discuss how to move forward towards more effectiveness, coherence and sustainability of the rule of law assistance for strengthening the national capacities. It couldn't have been better-timed and the European Union and its Member States stand ready to engage in fruitful discussions during this session.

We also welcome the Secretary General's report A/72/86 regarding the review of the regulations to give effect to Article 102 of the Charter of the United Nations. We welcome the recommendations therein and we believe that there is a need to revise the regulations in order to modernize and adapt them to the recent developments and realities, to recognize the practices already established and to increase the efficiency of the registration and publication of treaties. The report has a lot of pertinent substance to digest and we would favour of a dedicated discussion in the Sixth Committee in this respect. We are open to hearing views on how we might make progress towards such a discussion.

Mr. Chairman, the General Assembly invited the UN Member States to focus their comments in the present Sixth Committee debate on the subtopic: "*Ways and means to further disseminate international law to strengthen the rule of law*". In this respect, we would like to commend the UN efforts, through the Office of Legal Affairs and its specialized divisions, to further disseminate international law to strengthen the rule of law as outlined in the annex of the report. In this regard, we also commend the UN Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

On the part of the EU and its Member States, numerous web sites give access to the international treaties to which they are parties. The general EUR-Lex web site offers access specifically to all instruments produced by the EU in the exercise of its international responsibilities, like the agreements concluded by the EU with non-members countries or with international organisations, or the agreements concluded jointly by its Member States and the EU in areas of shared competence. Furthermore, each of the main institution of the EU keeps a treaty database updated. Finally, it is worth mentioning that the web site of the European Union Court of Justice contains information on national and international case-law.

One of the crucial aspects of the dissemination of international law relates to the promotion of International Humanitarian Law (IHL) and International Human Rights Law (IHRL). The EU and its Member States are strong advocates of IHL and International Humanitarian Law IHRL, in particular the Geneva Conventions and their Additional Protocols. Effective

implementation of the 2010 EU Guidelines on the promotion of compliance with IHL remains a priority. The EU and its Member States continue to train national authorities, non-state actors and humanitarian actors on IHRL and IHL; and supports publications on this subject inside the EU and in third countries. For instance, the EU Training Missions for Somalia and Mali include in their curriculum training in IHRL and IHL. In a similar way, staff from the EU and its Member States deliver courses on a regular basis and participate in seminars carried out by the International Committee of the Red Cross in the domain of IHL.

In line with its Global Strategy, the EU has aimed to mainstream human rights in all phases (planning, conduct and review) of EU Common Security and Defence Policy (CSDP) operations/missions deployed outside the EU, through training sessions for the benefit of operations/missions staff. Those training sessions may take place either at the HQ level, within the European Security and Defence College, or directly in the field, or in the EU Member States before the deployment of their staff. The induction training for CSDP operations/missions staff now contains obligatory IHRL and IHL components, as well as gender equality elements. The EU has also been providing training on IHL so that EU Heads of Mission, Commanders and EU other representatives include IHL assessments in their reports.

Mr. Chairman, the European Union and its Member States are of the opinion that one of the best way to disseminate international law in order to strengthen the rule of law is to assist justice systems worldwide in increasing their knowledge of international human rights standards as contained in international law. Up to 20 EU dialogues with partner countries provide opportunities to take stock of developments, as well as to share experience and work towards further progress in this domain. Through geographical financing instruments the EU supports the capacity strengthening of all justice actors to improve their professionalism and effectiveness in upholding international human rights standards. In this framework, under the European Instrument for Democracy and Human Rights, the EU has also regularly provided training to increase legal professionals' awareness of international human rights standards and obligations worldwide.

The dissemination of international law, including international criminal law, also impacts on the effectiveness and efficiency of international criminal justice. Mr. Chairman, the EU and its Member States have a long-standing involvement in ending impunity, and strengthening accountability. This includes in particular the support of the EU and its EU Member States to the International Criminal Court (ICC) and other international criminal tribunals. In this regard, the EU has supported numerous events (for instance an ICC regional seminar in Seoul in April 2017) aiming at raising awareness on the ICC. In a similar way, the EU endeavors to support as appropriate the development of training and assistance for judges, prosecutors, officials and counsel in work related to the ICC.

Mr. Chairman, to conclude, as mentioned in its Global Strategy, the European Union and its Member States are committed to a global order based on international law, including the principles of the UN Charter. The EU and its Member States call for good cooperation and coordination of UN Member States, UN agencies and other actors in this regard.

I thank you.