



**Thank you Mr. Chairman,**

We thank the UN Secretary General for the Report A/71/169 on Strengthening and coordinating United Nations Rule of Law activities.

2. We associate ourselves with the statement delivered by Islamic Republic of Iran on behalf of the Non Aligned Movement. I would like to make the following remarks in our national capacity.

**Mr. Chairman,**

3. Multilateralism is based on laws that govern interaction between states for greater collective welfare. However, the uneven impacts of globalisation, both within and among nations, are leading to a situation where the spirit of multilateralism appears to be in retreat today, although the list of inter-connected global challenges requiring collective action continues to grow.

4. Rule of Law defines modern societies and nation states. It is a way of living together that respects equality in terms of rights of individuals and states. The legitimacy of Laws is derived from the representativeness and acceptance of the body that frames them. Laws based on the principles of justice and fairness reduce conflict and provide for predictability of interactions, if enforced well.

5. This is applicable both at national and international levels. The Rule of Law implies a certain dilution of individual freedom or national sovereignty. While at national level rule of law is enforced by a State by legal use of force, this dichotomy is fundamental to many of the enforcement difficulties at an international level. A related aspect is the requirement of alignment of national laws with international obligations.

**Mr. Chairman,**

6. At an international level, as better transport and communication technologies began to connect distant societies and economies, the international aspect of rule of law began to crystallize.

7. Harmonization of practices relating to technical aspects such as postal services, shipping, telecommunication, aviation; issues relating to customs and trade, and even norms about conduct during warfare were among the first to be laid down among countries.

8. The United Nations itself was established to prevent conflict among competing powers and bring about a greater rule of law to govern the behaviour of nation states. The

UN Charter serves as its ultimate guide, that even prescribes use of force under specific conditions.

9. In the last seven decades, globalisation has picked up pace driven by technology. This continues to lead to the requirement of nation states coming together to define rules of cooperation to prevent chaos.

10. Today, there is a very wide range of areas where rule of law governs the actions of nation states to a large measure. This includes, among others, trade and investment and intellectual property; transport and communications through maritime and aviation laws, and telecommunications; use of global commons such as seas and oceans, environment, climate change, outer space; even normative frameworks on human rights and related issues.

11. Just as rights and duties of citizens have different force of law in a national context, the nature of obligations and commitments, enforcement, dispute settlement mechanisms vary across the different types of areas of international engagement. Enforcement is, of course, stricter and perhaps easier to enforce in the more technical areas.

12. Regrettably, there are areas where we have not been able to develop international rule of law to our serious collective disadvantage. The rise in terrorism is one such alarming concern that impacts us all and requires effective international collaboration. However, law making on this issue continues to falter in view of narrow geopolitical interests. Ironically, often states hide behind legal concepts, designed for different contexts, to stop progress on this vital issue, including here at the UN in the context of a draft Comprehensive Convention on International Terrorism. The issue continues to remain unaddressed satisfactorily even at the Security Council Sanctions Committee.

13. Then there are emerging areas such as artificial intelligence or cyber security or maritime piracy where the technology or activities of entities outpaces law and the situation is complicated by the involvement of non state actors and cross border implications.

14. Strategic and competitive concerns make progress difficult on development or enforcement of rules and laws on issues such as law of the sea or other global commons. We are now engaged in developing norms relating to the emerging complex areas of Marine Biodiversity Beyond National Jurisdiction (BBNJ) and Global Geospatial Information Management (GGIM).

15. There are other more complex areas such as trans-boundary aspects of waterways, where it is much more difficult to achieve consensus on general principles in view of strong sovereignty and situation specific strategic concerns.

16. Another area of concern, including here at UN, is the complexity of issues relating to extraterritorial jurisdiction to plug any gaps in accountability for crimes committed in third countries.

**Mr. Chairman,**

17. India, with one sixth of global population, is the world's largest democracy based on rule of law and has emerged as the fastest growing large economy.

18. In India, the independence of judiciary, legislature and executive along with a free and vibrant media and civil society with strong traditions of electoral democracy are cherished and are the basis for the rule of law in our country.

**Mr. Chairman,**

19. India strongly believes that cooperative and effective multilateralism is the only answer to the range of inter-connected challenges that we face in our inter-dependent world. This points to the strong need for rule of law at an international level.

20. India has always engaged actively in international efforts to develop norms, standards and laws governing global interactions across various sectors. India also believes in peaceful settlement of disputes according to laid down laws.

21. India continues to make serious efforts to bring its national laws in consonance with its international obligations.

22. In the last one year, India ratified the Paris Agreement on Climate Change under UNFCCC and acceded to the Doha Amendment of the Kyoto Protocol. India has also acceded to the UN Customs Convention on International Transport Goods under cover of TIR carnets.

23. Also, in the last one year India has enacted nearly 20 new acts, ranging from legislations on Mental Health, Rights of persons with disabilities, Goods and Services Tax, National Waterways, Anti-Hijacking etc.

**Mr. Chairman,**

24. India places high importance on peaceful international dispute settlement. An Indian is among the judges at the International Court of Justice. Last week, the first Indian woman judge has joined the International Tribunal for the law of the Sea. A young Indian joined the International Law Commission last year.

25. India contributed to the Residual Special Court for Sierra Leone to enable the Court to carry out its functions effectively.

26. India fully supports the efforts to address the issue of Sexual Exploitation and Abuse in UN Operations and has contributed to strengthen UN capacities in tackling this issue and assisting the victims.

27. India continues to partner fellow developing countries in capacity building efforts on aspects such as electoral practices, drafting of legislations and other law enforcement issues.

**Mr. Chairman,**

28. Unjust or discriminatory laws that do not balance competing interests in a fair manner, or those designed and implemented by powers that are not representative, only fuel long term conflict.

29. Also, laws do not remain static. They continue to evolve according to changing circumstances, often brought forth by changes in society and prevailing technologies. Changes also leave many old laws and regulations redundant. The Indian constitution, adopted seven decades ago, has seen over 100 amendments.

**Mr. Chairman,**

30. Effective multilateralism and international rule of law requires that the global governance structures should reflect contemporary realities. The current United Nations structures were designed for a bygone era. They were designed by a mere handful of nation states. For retaining legitimacy and effectiveness, fundamental reform of these structures, especially the Security Council is needed.

31. We hope that the international community will be able to transform the United Nations to meet the emerging global challenges of the 21st century.

**Thank you Mr. Chairman.**