

Sri Lanka Statement
by
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Mr. Chairperson

That governments must not act without the imprimatur of law, is the foundation upon which a peaceful, equitable and prosperous society is built. Therefore, it must be the common responsibility of all member states to strengthen the Rule of Law at the national and international levels, and Sri Lanka supports all efforts being taken in fulfilling these goals.

Sri Lanka notes with appreciation the Report of the Secretary General A/72/268 on the Strengthening and Coordinating of the UN Rule of Law Activities and we welcome the focus of the present debate on “Ways and means to further disseminate international law to strengthen the rule of law.”

Mr. Chairperson

If we are to strengthen the Rule of Law, then we must ensure that there is equality before the law; there is transparency of laws; there is an independence of the judiciary; and, that legal remedies remain accessible to the most vulnerable among us.

Having suffered a very dark period under the yoke of terrorism and an accompanying culture of impunity, Sri Lanka is acutely conscious of the value of a nation, built on the principles of democracy and the Rule of Law. It is our sincere belief, that the Rule of Law is the fulcrum upon which a fair and just society rests. And certainly, without the rule of law, working in tandem, with the independence of the judiciary and the separation of powers, there can be no advancement of peace, development or human rights.

But in this quest, we must also do everything we can to nurture a culture of peace. And if we are to reflect more fully the standard setting norms of international law in domestic law, it is vital for us to have a greater commitment to build a culture of peace, and recognize the need for continuous support to further strengthen such a global movement.

Sri Lanka also believes that achieving justice in times of transition from conflict through accountability, redressing victims, and recognizing the rights of victims, promotes civic trust, and strengthens the democratic rule of law. In this regard, States have a duty to guarantee that violations will not re-occur, and a special duty, to reform institutions that have proven to be incapable of preventing such abuses in the past.

Neither can we forget the application of the Rule of Law to sustainable development. The 17 Sustainable Development Goals and 169 targets provide the ample tool kit for the promotion of a culture of peace. This is particularly reflected in Goal 16 on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels.

We also know that the rule of law is threatened and made vulnerable in societies where human frustration is prevalent. The empowerment of women and girls is particularly essential in this regard.

Sri Lanka recognizes that structural inequalities hinder the access of women and girls to justice, and it is therefore important not only to ensure a gender responsive legal system and international order, but also to have gender sensitive policies. Sri Lanka has ratified the main international human rights instruments and policy documents that are relevant to the issue of discrimination and violence against women. In September this year Sri Lanka signed the Secretary General's Voluntary Compact on Preventing Sexual Exploitation and Abuse in Peacekeeping Operations.

Mr. Chairperson

If the rule of law is to be strengthened, it must also be based on the principles enshrined in Article 2 of the Charter of the United Nations: namely the principles of sovereign

equality and non-interference, the prohibition on the threat or use of force and the obligation to settle international disputes peacefully.

It is vital that all states have an equal opportunity to participate in the international law making process. It is also a principle that protects all states, especially developing countries, from the harshness of an empirically unequal world.

Furthermore the Rule of Law is not a concept that can be externally enforced nor can it conform to an external prescription that ignores domestic realities. In order to be effective, it must be sensitive to the nuances of each situation. Indeed, social, religious, philosophical and cultural factors have played a significant role in the evolution of the rule of law in different regions.

In fact the diversity of systems represented by Member States is an opportunity to find solutions in maintaining and advancing the rule of law as a tool for sustainable development, peace and security, and the realization of human rights.

While commitment of Member States to multilateral treaties and conventions such as the 2030 Agenda and the Paris Agreement on Climate Change can help solidify international norms and advance collective responses to global problems; It is also important to strengthen partnerships and cooperation and to improve the availability of technical expertise and enhance the support provided by the United Nations system.

In this context, Sri Lanka wishes to draw attention to the challenges faced by developing states when it comes to multilateral treaty making processes. These include but are not limited to insufficient financial and administrative resources, and staffing challenges. This is an area where the UN can and must play a crucial role, in particular, by assisting States with capacity building.

In this regard the role of multilateral treaty processes in prompting and advancing the rule of law is also important. The work of the International Law Commission, and that of the international court of justice, must be recognized for their contribution in entrenching the rule of law at the international level. Sri Lanka also commends the important contribution made by the Office of Legal Affairs in strengthening the multi-lateral treaty making

process and also its work regarding the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

In conclusion Mr. Chairperson, Sri Lanka will continue its efforts to reinforce the rule of law within its domestic legal system and looks forward to contributing actively and decisively to efforts to strengthen the rule of law at the international and national levels.

Thank you