



नेपाल NEPAL

Statement by Mr. Bharat Raj Paudyal, Joint Secretary, Ministry of Foreign Affairs of Nepal at 73rd session of the UN General Assembly at the Sixth committee under Agenda Item No. 84 :Rule of Law at the National and International Levels

09 October 2018

(Please check against delivery)

At the outset, I wish to congratulate you Mr. Chairman and other members of the bureau on your election.

Nepal aligns with the statement delivered on behalf of the Non -Aligned Movement.

Nepal thanks the Secretary-General for his comprehensive reports under this agenda item.

Mr. Chairman,

In the national front, Nepal has gone through a long struggle for rule of law, democracy and freedom. Therefore, principles and practice of rule of law is very dear to us. Nepali people's aspiration for rule of law was firmly institutionalized by the democratic and inclusive Constitution written by people's representatives in 2015.

The Constitution upholds all internationally accepted norms of rule of law, human rights, fundamental freedoms and democratic governance. Separation of power, checks and balance, independent judiciary, periodic elections, inclusive and proportional representation—which are the essential elements of the rule of law—make the fundamental features of our Constitution.

Our constitution fully recognizes equality and non-discrimination before the law and provides independent and effective judicial remedy for its enforcement.

We have reformed laws and built institutions to strengthen rule of law at the national level. To strengthen rule of law and ensure accountability in event of civil and criminal liability, two consolidated new laws, the Criminal Procedure Code and the Civil Code entered into effect this year. These laws have not only updated and reformed the existing laws but also aligned them in conformity with relevant international laws and practices.

Nepal considers that ensuring rule of law at national level has direct bearing with the empowerment of people. Building of functioning national institutions, clear delineation of powers and responsibilities and strengthening of national judicial system are necessary elements for people to enjoy rule of law at national level. Nepal has made such arrangements and ensured their independence through appropriate constitutional and legal arrangements.

Nepal's National Human Rights Commission (NHRC) is an independent constitutional body which works as a watchdog of human rights protection and promotion. It is fully compliant with the Paris Principles and enjoys "A category" status.

Nepal firmly believes that rule of law is bedrock of peaceful and harmonious society. Justice, democracy, freedom and sustainable development cannot be upheld without ensuring rule of law. The Government of Nepal is committed to maintaining good governance at all levels.

Mr. Chairman,

A true practice of rule of law in international level inspires practicing of rule of law at the national level.

The objective of maintaining international peace and security is intricately linked with the rule of law at the international level. It also forms the basis for peaceful coexistence and cooperation among the States.

Every nation, whether big or small, rich or poor, should abide by international law and honor international obligations in good faith, including the obligation to settle disputes through peaceful means.

The United Nations is founded on the principle of the rule of law. We believe that UN is the most legitimate multilateral institution to promote rule of law at international level.

Nepal firmly adheres to the purposes and principles enshrined in the Charter of the United Nations. We believe in the principles of sovereign equality, peaceful co-existence, non-interference, prohibition on the threat or use of force under all circumstances.

Nepal has fulfilled its international obligations emanating from the Agreements and treaties that we are a State party. We have given national effect to those obligations through incorporation of the provisions of such instruments in our national laws. Nepal is a State party to 24 different human rights related international instruments, including 7 out of 9 core instruments. Our laws provide that obligations under international treaties to which we are a State party have equal legal effect to that of domestic laws.

Mr. Chairman,

Ensuring the rule of law at international level continue to be threatened by terrorism, violent extremism, transnational organized crimes and climate change among others. International community must strengthen their cooperation and act in more coherent manner to combat these threats.

Achieving the rule of law related SDG at national and international level is not merely a stand-alone goal, but a critical enabler of other SDGs. The rule of law is crucial component for the realization of number of goals such as sustained economic growth, sustainable development and the eradication of poverty and hunger.

Recognizing this strong link, Nepal is committed to the implementation of goal 16 of the 2030 Agenda for Sustainable Development.

To conclude, Mr. Chairman, practicing rule of law by all states is a prerequisite for promoting rule of law at national and international arena. A rule-based, principled and law abiding international behavior remains a key enabler for rule of law at national level. Nepal remains unequivocal to the principles and practice of rule of law at both levels.

I thank you.