

EGYPT



مصر

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الامم المتحدة  
نيويورك

Statement

Arab Republic of Egypt  
United Nations General Assembly Sixth Committee (74<sup>th</sup> Session)

Agenda item (83)

The rule of law at the national and international levels

Check against delivery

يَدَجُّ وَطَلَبُوهُ جَمْعُ دَعْوَى الْقُدِّ؟

# EGYPT



# مصر

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الامم المتحدة  
نيويورك

Madam Chair,

Egypt aligns itself by the statements delivered by distinguished representatives of the Gambia and Iran on behalf of the African Group and the Non-aligned Movement respectively. Egypt also notes with appreciation the elaborate report of the Secretary General (document A/74/139), which captures accurately the developments that have taken place over the past year in relation to reinforcing the rule of law on the national and international levels. This includes the praiseworthy efforts by the United Nations in supporting a number of programs in member states reinforcing the rule of law on the national level, fighting impunity, ensuring access to justice by marginalized communities, drafting constitutions and etc...

Nonetheless, we join those delegations who spoke before in expressing our reservation on paragraph 8 of the Secretary General's report in relation to the capital punishment. We believe that the reference made to the capital punishment in this paragraph is both inaccurate and unbalanced. The positive reference to the "downward trend" in the application of the capital punishment mentioned in General Assembly resolution 73/175 overlooks countries that have reinstated the capital punishment recently and constitutes an undue value judgment. The report also disregards the fact that this was a voted resolution evidencing, once again, that there is no international consensus on the abolition of the capital punishment, application of which falls within the sovereign right of member states to develop their legal systems including penal legislations, in accordance with international law and the Universal Declaration on Human Rights. Furthermore,

# EGYPT



# مصر

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الامم المتحدة  
نيويورك

we believe this is a criminal justice matter not a rule of law issue, thus not belonging in the report at discussion in all circumstances. To conclude on this point, Madam Chair, we hope that the future reports of the Secretary General including references to the capital punishment would avoid employing such inaccurate and unbalanced approach.

Madam Chair,

Egypt's intervention will be focused on the subtopic "Promoting the rule of law at the international level", which General Assembly resolution 128/73 encouraged countries to concentrate on during this year's debate. In this regard, Egypt is of the view that ensuring the rule of law on the international level requires that all states respect and uphold international law in its broader sense, and to consider its principles, provisions and mechanisms as the point of reference according to which they manage their international relations and settle disputes that may arise with other states in this context.

Madam Chair,

Ensuring the rule of law on the international level requires that states subject themselves to the authority of international law in its broader sense, and employ its various tools, including mediation, reconciliation and dispute settlement mechanisms, in settling outstanding issues with other countries. This entails that states do not take unilateral actions to enforce de facto situations serving only their narrow interests and negating those of others. The peaceful settlement of international disputes in a manner that does not endanger peace, security and justice is also one of the key principles of international law elaborated in the "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States" adopted in 1970. The Declaration has also emphasized the principle that states should cooperate with one another in

# EGYPT



# مصر

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الأمم المتحدة  
نيويورك

accordance with the United Nations charter, which we believe is key to achieving compromises and understandings on contentious issues where interests of states might intersect.

Madam Chair,

Another fundamental principle necessary for ensuring the rule of law on the international level is the principle of “Good Faith”, which is one of the general principles of international law recognized by civilized nations, thus one of the sources of public international law as per article 38 of the Statute of the International Court of Justice. Good faith entails that states have genuine intentions in conducting their international deeds, which applies to negotiating agreements and applying them upon conclusion, without maneuvering to win time in order to impose a certain status quo, evasion, undue rigidity, or any other concealed intention.

Madam Chair,

It is very unfortunate that the world today is witnessing a setback for the rule of law on the international level, since some states insist adamantly on imposing their views during negotiation processes on very important matters such as common transboundary water resources, maintaining a rigid stance and refusing to show any flexibility in a bid to win time, while creating a status quo suitable for them and completely ignoring the legitimate interests of other parties. This clearly violates the principles of international law, especially the amicable settlement of international disputes in a manner that does not endanger international peace and security and justice, the principle of international cooperation and the principle of good faith. Such attitude clearly threatens the rule of law on the international level.

In this regard, Egypt calls upon all states to highly uphold the rule of law on the international level, by ensuring respect to the principles of international law, and activating its different

# EGYPT



# مصر

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الامم المتحدة  
نيويورك

mechanisms, including those of the peaceful settlement of disputes starting with mediation, with the view to resolving outstanding differences that may arise with other countries.

I thank you Madam Chair.