



STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

UNITED NATIONS GENERAL ASSEMBLY - LEGAL COMMITTEE (6TH COMMITTEE)
“THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS” [AGENDA ITEM 86]

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Delivered by Patrizio Civili, Permanent Observer to the United Nations, IDLO

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Mr. Chairman,

As the only global intergovernmental organization exclusively devoted to advancing the rule of law as a catalyst to sustain peace and development, IDLO greatly appreciates the opportunity that our observer status and this agenda item afford us to share with the General Assembly, through this Committee, highlights of our current work and future plans.

IDLO’s approach to its rule of law mandate fully encompasses advancing the causes of protecting human rights and of combatting inequalities and discrimination—the causes that are inherent in governance and rooted in the rule of law. This approach brings us to relate to a very broad range of UN intergovernmental bodies and institutions mandated to advance these objectives. But it is this Committee that is called upon, under this agenda item, to maintain an overview of overall progress toward the rule of law in both its national and its international dimensions. And it is therefore this Committee where IDLO is pleased to provide highlights of its contribution to the Committee-led effort to promote unity of purpose within the international system and globally in supporting adherence to the rule of law.

The remarkable foresight of IDLO’s founders over 30 years ago to shape our mandate around the objective of leveraging the law in support of development has led IDLO to pioneer approaches to rule of law research and programming that it has sought to contribute over the years to the international community’s drive to build peace and sustain development. One illustration is the inclusive, “whole-of-society” methods of governance engaging governments, the judiciary, and civil society in decision making processes that are now being actively promoted by the UN system and which have long been an important, integral part of IDLO’s *modus operandi*.

In turn, major UN milestones in rule of law policy development—that the Committee rightly recalls every year in its resolutions under this item--have served to greatly enrich our own policy and program development, helping us root our work in a widening international consensus on rule of law values and their contribution across all pillars of the UN mission—a consensus-building process on which IDLO has been able to draw in

advancing support for its own mission and activities, and a process to which we have systematically sought to contribute evidence from our operational experience.

These milestones have also provided over time the basis for continuous expansion of collaboration between IDLO and the UN and a growing range of UN system organizations. In so doing, we have sought to respond to the emphasis that this Committee has repeatedly placed on ensuring that international support to advance the rule of law is coherent and well-integrated in meeting the needs of member states and the international community.

Last, but certainly not least, among the milestones that have provided IDLO a crucial frame of reference for its work and its collaboration with the UN system is Agenda 2030 and, within that Agenda, SDG16 as a cross-cutting enabler of all other SDGs.

The 2030 Agenda and the emphasis it places on justice and inclusion across all the SDGs is also serving to frame IDLO's contribution to the global response to the COVID-19 pandemic.

During the past months the focus of our contribution has been on supporting our program countries and, more generally, on advocating for responses to the pandemic that would prioritize equitable access to public services and extend to all the protection of the law. We have been doing so aware that public confidence in institutions of governance and their fairness in service delivery is such a critical factor in the effectiveness in a country's response, and in the conviction that putting justice and the rule of law at the heart of the response from its inception will be key to moving toward a sustainable recovery.

It is in this spirit that IDLO has launched the [Crisis Governance Forum](#) as a multi-stakeholder online platform to exchange policy-making experiences in the response to the pandemic. Following the [launch of the Forum](#) in July, we chose to devote the first thematic session held last week to the key theme of [equitable access to health services and products](#). The imperative of universal health coverage was one of the debate's main leitmotifs. National experiences of countries ranging from Honduras to Kenya, from Costa Rica to Uganda were projected at both events by senior policy makers at the forefront of their governments' response to the pandemic. Their first-hand accounts were accompanied by presentations by the UN, relevant agencies, and international policy makers and experts on the state of global policy development, leading to an interactive dialogue focusing on lessons learned and their relevance in shaping subsequent recovery phases.

Policy themes to be addressed at future sessions in the months ahead will be selected so as to be responsive to priority concerns as they emerge in the transition from response to recovery and will seek to address, from a rule of law perspective the whole range of economic, social, and environmental dimensions involved in advancing toward a sustainable recovery from the pandemic.

Let me also in this context bring to the Committee's attention the [Policy Brief](#) that IDLO published earlier this month with recommendations on priority actions to strengthen the legal and policy framework for managing the pandemic; mitigate the impact of the crisis especially on marginalized groups; and strengthen resilience to future crises.

We are working with several national partners to ensure that emergency restrictions are anchored in the rule of law and that the perspectives and voices of marginalized groups are effectively built into the COVID-19 response. And we are collaborating with partner agencies: with FAO in assessing the impact of emergency laws and regulations on access to food, particularly for women and girls and marginalized and vulnerable groups; and with WHO and national as well as international partners to strengthen legal and policy capacity in pandemic preparedness and response to public health emergencies.

Our work in mitigating the impact of the crisis on justice systems as well as justice seekers builds on several decades of experience in supporting reforms in the justice sector and helping enhance access to justice. It includes a growing program portfolio on gender-based violence in the context of COVID-19, which complements an extensive on-going program that leverages our legal experience and expertise in partnering with UN Women for the implementation of a global strategy toward the elimination of discriminatory laws.

IDLO's ongoing work to support innovation in the functioning of justice institutions to facilitate access to justice and help improve the efficiency, transparency, and accountability of the judiciary has acquired renewed urgency in view of the mobility and other restrictions brought about by the pandemic. It is leading to an expanding work program to support the introduction of digital technologies, e-justice tools and e-filing modules in the administration of justice. And we are strengthening in the same context our engagement with customary and informal justice systems and alternative dispute resolution mechanisms.

In relation to advocacy, the High-Level meetings and side events at the opening of the current session of the Assembly have provided IDLO precious opportunities to highlight the imperative, now more urgent than ever in the face of the major inter-related challenges the world is facing, of continued support and enhanced investment in justice and the rule of law.

Investment in justice sector institutions remains integral to curbing corruption—the theme the Committee has selected for special attention at the current session. Corruption is a key factor undermining the achievement of the 2030 Agenda for Sustainable Development, not least in relation to the Agenda's commitment to "leave no one behind", given its disproportionate on women, the poor and vulnerable groups, and the obstacles it poses to accessing public services, including health, education and justice. The innovations I have referred to that IDLO is supporting its program countries to introduce in the justice sector, along with efforts to strengthen integrity and transparency in the judiciary, are key components of the effort to detect and prevent corruption. IDLO's work to strengthen capacities of prosecutors in many countries also contributes to the drive to end impunity for all forms of corruption. Efforts toward the legal empowerment of justice seekers, to which IDLO is contributing, are also important complements of national anti-corruption initiatives and so is the targeted support IDLO is providing to civil society organizations to monitor and actively engage with governments' anti-corruption reform processes.

I should add that IDLO is currently participating actively as an observer in meetings of various subsidiary bodies of the Conference of the State Parties to the UN Convention Against Corruption (UNCAC) including those in preparation of the special session of the

General Assembly against corruption to which we hope to be able to contribute relevant experience from both our research and our operational programs.

In its concluding observations, the Secretary General's report on this agenda item emphasizes the need to strengthen the engagement of the United Nations in "supporting national institutions to reinforce integrity, transparency, and accountability". It also points to the UN intention to strengthen support to member states "including in areas such as climate justice, inequality, discrimination, and the implication of new and emerging technologies..." as part of a renewed effort to adapt and enhance its capacity to address "the changing rule of law and security landscape".

These are indeed some of the main directions along which IDLO's new Strategic Plan for 2021-2024 which will be before our Assembly of Parties next month is being constructed. A related focus of the Plan is to leverage IDLO's legal expertise in partnership with UN agencies in health, food security and climate justice areas, and to enhance legal support to developing countries, including the special needs of LDCs and LLDCs in trade and investment areas. This will serve to further reinforce IDLO's engagement with the UN and the wider UN system, including the effort to address inequalities at all levels and promote adherence to internationally agreed laws and undertakings.

Let me conclude by saying that IDLO fully supports Assistant Secretary General Turk's call for new thinking and renewed action on governance and rule of law structures responsive to the challenges ahead and our responsibilities to future generations. IDLO is ready to play its part in this endeavor under UN leadership.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.