

*The Permanent Mission
of the Kingdom of Morocco
to the United Nations*



البعثة الدائمة
للمملكة المغربية لدى الأمم المتحدة
نيويورك

On behalf of the African Group

76TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

SIXTH COMMITTEE

UNDER AGENDA ITEM 85

“The rule of law at the national and international levels”

NEW YORK, 8 OCTOBER 2021

Madam Chairperson,

I have the honor to deliver this statement on behalf of the African Group.

The African Group aligns itself with the statement delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

Madam Chairperson,

The African Group expresses its gratitude to the Secretary-General for his report contained in document A/76/235, which highlights the United Nations rule of law activities at the national and international levels over the past 12 months, including in the context of the coronavirus disease (COVID-19) pandemic.

The African Group remains convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law, at the national and international levels, is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger, as well as the full realization of human rights and fundamental freedoms.

In this context, the African Group renews its continued and unwavering commitment to the rule of law both at the national and international levels and notes with appreciation the efforts and the assistance provided by the United Nations system during the past year.

We particularly appreciate the efforts of the United Nations, as highlighted by the Secretary General in his report, in providing focused assistance to Member States during the pandemic. We especially note those relating to the prevention of corruption, preparedness in prisons, equal access to justice and ending gender-based violence and violence against children.

The African Group reaffirms its attachment to the respect of the rule of law at the international level and in this context is concerned by judicial interference in judicial matters and court processes of developing countries. All while being in contradiction with the rule of law, these judicial interferences have an overreaching impact on the effective promotion of the rule of Law. It is essential to address this issue in the interest of safeguarding developing countries' democratic institutions.

Madam Chairperson,

The African Group is concerned by the political and socioeconomic consequences of the pandemic which could fuel the threat of terrorism in the medium as well as in the long term by exacerbating underlying conditions and making more individuals susceptible to radicalization and recruitment by terrorist groups. This is why, as we seek to build back better, we must place the emphasis on creating inclusive, sustainable and resilient

societies and ensure that at the heart of this endeavour lies a commitment to respect human rights.

Upholding the rule of law in times of crisis such as the COVID-19 pandemic is all the more essential. The pandemic has not spared any part of the world and has impacted all sectors of society due to its cross-cutting nature and effects. It has remained a major impediment to the effective functioning of justice systems in many parts of the world and has compelled us to find innovative ways for justice systems to continue to function during such a global crisis.

In this context, we are pleased to note that several Members States, including from the African Group, innovated by resorting to the use of technologies to mitigate the impact of the pandemic on their justice systems and ensured both access to and delivery of justice by, for instance, holding remote proceedings to maintain business continuity. Promoting further capacity building on the use of technologies for enhancing justice system would be, in our view, valuable.

We are equally pleased to note that several efforts have been undertaken in order to respond to the congestion of detention facilities and that some Member States have adopted preventive measures such as prisoner release, for instance.

As indicated in the Secretary General's report, good practices and tools are being analyzed by the United Nations and national counterparts for use after the pandemic to further improve prison conditions and increase equal access to justice. We believe it would be helpful for other best practices developed during the pandemic, to also be studied and shared.

Madam Chairperson,

During the Special Session of the United Nations General Assembly on Corruption, held in June 2021, Member States renewed their commitment and shared their national experiences and best practices on new and innovative approaches to combat corruption. The outcome document, which was concise, focused and action-oriented embodied the renewed political commitment of Member States to articulate adequate and collective responses against corruption.

In this context, the African Group reiterates its commitment to combatting corruption and strengthening good governance and the rule of law and further underlines that coordinated and integrated efforts are essential to address corruption in all its forms and manifestations.

Madam Chairperson,

In his report, the Secretary General suggested that this year's subtopic could be "Promoting a people-centred rule of law at the national and international levels as the foundation of our common agenda".

The African Group is of the view that a people-centred approach to the rule of law is essential when building sustainable, inclusive and peaceful societies. To this end, respect and promotion of human rights and fundamental freedoms for all as well as ensuring good governance are key.

As we welcome the vision of the Secretary General for a more inclusive, effective and networked multilateral world, which places systems and institutions that deliver for people at the heart of global efforts to reinvigorate multilateralism, we believe that promoting a people-centred rule of law at the international level encompasses *inter alia* equal access to vaccines, quality education for all, as well as solidarity in addressing the deepening poverty and socio-economic inequalities.

In his report on *Our Common Agenda*, the Secretary General highlighted “the need to renew the social contract between Governments and their people and within societies so as to rebuild trust and embrace a comprehensive vision of human rights”. We believe that at the national level, this can be operationalized by fostering a culture of good governance, through which the rule of law is upheld in order to combat discrimination, racism, xenophobia, violence and inequalities and safeguard human rights and fundamental freedoms for all.

Madam chairperson,

As I conclude, let me reiterate that capacity building, including through enhanced technical assistance, is key for the promotion of the rule of law and for strengthening national capacities of Member States. We believe that capacity-building and rule of law activities, should rest on two interrelated concepts in determining needs and priorities of requesting Member States namely: effectiveness and national ownership.

The African Group is of the view that dissemination of international law is a central means to strengthen the rule of law at the international level. We encourage the continued efforts by the United Nations to promote international law through its Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. This Programme contributes to enhancing knowledge of international law through the international law fellowship programme, the Regional Courses in International Law, the Audiovisual Library of International Law and the preparation and dissemination of publications and other information relating to international law.

I thank you for your kind attention.