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THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

Madam Chair

Liechtenstein welcomes the Secretary-General report on *Strengthening and Coordinating United Nations rule of law activities*. We strongly share the report's assessment that the rule of law is at the foundation of a revitalized social contract – in line with the Secretary-General's vision presented in "Our Common Agenda." And, we were encouraged by the report's clear indication that ensuring a people-centered rule of law at the national and international levels remains a priority for the United Nations.

The engagement of the UN in collective efforts to promote the rule of law is indeed more critical than ever. Even prior to the Covid-19 Pandemic, a comprehensive study by the Justice Task Force revealed that at least 250 million people live in extreme conditions of injustice, 1.5 billion people cannot resolve their everyday justice problems, and 4.5 billion people are excluded from the opportunities the law provides.

The Covid-19 Pandemic has made matters worse. As the Secretary-General's report notes, the pandemic has exposed deep inequalities in the distribution of wealth and resources, justice and security for all, protection of human rights, and the delivery of basic services. In turn, public

trust in has been eroded. The pandemic has demonstrated our interdependency in clear terms. International cooperation and effective multilateralism are thus more necessary than ever for us to collectively prevent conflicts, sustain peace, promote the rule of law and ensure access to justice for all. We therefore have much work to do. This is a crucial moment for all of us to stand up for and further develop the rule of law at the national and international levels.

Madam Chair

Challenges to peace and security call for the strengthening of the rule of law at the international level, in particular. In order to give more strength to article 2 paragraph 4 of the UN Charter, Liechtenstein worked hard with other States to secure the activation of the International Criminal Court's jurisdiction over the crime of aggression. By criminalizing the most serious forms of the illegal use of force, the ICC not only promises justice to the victims of aggressive war-making but provides deterrence against aggression in the first place. We welcome that 41 States, including more than half of NATO members, have ratified the ICC's crime of aggression amendments, making them the most widely ratified amendments to the Rome Statute. We will continue to work toward the goal of universal ratification of the Rome Statute in its amended version.

Madam Chair

Impunity, including for the most serious crimes under international law, continues to be a burden on societies. Activities to ensure justice and accountability are investments in sustainable peace. Or in the words of the Secretary-General, "accountability and broader transitional justice processes facilitate victim-centered transitions enabling inclusive and lasting political-solutions."

In this regard, we recall that the ICC is the central institution in the fight against impunity for the most serious crimes under international law. But it is not the only one. National judiciaries retain primary jurisdiction, according to the principle of complementarity. As long as universality of the Rome Statute is not achieved and the UN Security Council is unable to play

the role it has under the Rome Statute, we must look for alternative paths to accountability where necessary.

The creation of the International, Impartial and Independent Mechanism (IIIM) for the most serious crimes committed in Syria is a good example of the General Assembly's potential to play a productive role in this area. Created in 2016, the IIIM is fully operational and has had concrete impact. We are seeing investigations and prosecutions in a variety of national Courts. States are sharing information with the IIIM. Things are moving in the right direction and accountability for the crimes committed in Syria is within reach. The IIIM model has also served as an innovative prototype for other situations, most notably in Myanmar. We look forward to discussions on the creation of a generic IIIM sometime in the future, as well as other innovative accountability models that take the principle of complementarity as the point of departure.

Madam Chair,

Lastly, we welcome the call in the Secretary-General's report to give urgent attention to the challenges posed to the rule of law by insufficiently governed digital spaces and the use of new technologies. There is an emerging consensus that international law applies to cyberspace. The final report released by the Group of Governmental Experts on Advancing Responsible State Behavior in Cyberspace in the Context of International Security (GGE) reaffirmed the applicability and necessity of international law in cyberspace. And, the Open-ended Working Group on Developments in the Field of Information and Telecommunications in the Context of International Security (OEWG) further institutionalized discussions on international peace and security in the cyber context within the United Nations. As discussions progress on how international law may apply to cyberwarfare, it is essential that the Rome Statute is part of this conversation. That is why Liechtenstein with 10 other Rome Statute States Parties created a Council of Advisers to explore the role of the ICC in the regulation of cyberwarfare. We are looking forward to presenting the final report of the Council of Advisers on the Application of the Rome Statute to Cyberwarfare during International Law Week this year. Realizing the potential of the Rome Statute in this area means such crimes could currently be prosecutable at

the ICC, without the need for any statutory amendment. Increased awareness of the ICC's ability to prosecute such crimes demonstrates an additional relevance of the world's only permanent international criminal court to address this significant contemporaneous challenge.

I thank you.