



**Statement on behalf of the European Union and its Member States
by Ms. Simona Popan, Counsellor, Delegation of the European Union to the
United Nations**

at the Sixth Committee

**on the Agenda item 84:
"The Rule of law at national and international level"**

United Nations

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– CHECK AGAINST DELIVERY –

Thank you, Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Türkiye, North Macedonia*, Montenegro*, Serbia*, Albania*, Ukraine and the Republic of Moldova, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Georgia, and San Marino align themselves with this statement.

Mr./Madam Chair,

The European Union and its Member States stand firm in their belief that multilateralism has to be guided by the principle of rule of law. The promotion of the rule of law remains a priority for us.

The rule of law has a direct impact on the life of every person. It is a precondition for ensuring equal treatment before the law and the defence of human rights. The rule of law is intertwined with our commitment to cherish the freedoms and rights of every individual. It is also a foundation for good governance and open and participatory democratic processes, where both women and men, as well as civil society, have the right to meaningful participation. The rule of law, human rights, a functional judicial system and access to democratic processes will have to be upheld and promoted during all forms of crises, including during pandemics, in conflict situations and when natural disasters strike.

A shift to a people-centred approach to rule of law is important; a shift from the traditional focus on institutions and the state, to an approach that puts people and their justice needs at the centre of justice systems. This is also in line with ‘Our Common Agenda.’

Mr. Chair,

The Covid-19 pandemic had a significant impact on all levels of society. In the interest of time, we will focus on two main aspects: the impact on judiciary and the surge of disinformation during the pandemic.

It is a reality that the Covid-19 crisis has negatively impacted on the judicial systems. There have been delays of in-person hearings and of cross-border serving of judicial documents; inabilities to obtain in-person legal aid; and expiry of deadlines due to delays.

The disproportionate impact of the pandemic and other crises on women and girls is also evident when it comes to the rule of law. The rising prevalence of gender-based violence, including conflict-related sexual violence require additional measures to strengthen the access

* North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

of women and girls to the judiciary system, to ensure accountability and to avoid impunity. This must be addressed with priority as lack of gender equality is a major driver of conflict and fragility, compounding other crises.

National prison administrations were under pressure to take measures to avoid spreading the virus. These included the temporary suspension of family visits and activities with outside persons or the postponement of physical transfers of prisoners. The outbreak also had an impact on the exercise of procedural rights of suspects and accused, as direct communication with lawyers and interpreters became very difficult. It equally made judicial cooperation in criminal matters, such as European Arrest Warrant proceedings, more difficult.

The judiciary had to adjust to all these challenges. This propelled the digitalisation of justice.

The pandemic set in motion important developments toward a digital, resilient European justice system capable of protecting the rule of law under adverse circumstances. In hindsight, the pandemic highlighted the need for a modern and digital justice system.

As an example, the EU has adopted new regulations aimed at making access to justice faster, more affordable and user-friendly for EU citizens and businesses through digitalisation. Under the new rules, legal documents relating to court proceedings can be served electronically. Communication between dispute parties or court proceedings were conducted digitally through the use of video-hearing and conferencing, in particular in ‘small claim’ matters.

Such measures significantly accelerated a transition towards upholding the rule of law through a digitalised approach. The EU will further advance the use of digital tools for judicial proceedings while protecting the fundamental principles of independence and impartiality of the courts and respecting the right to a fair trial.

Mr./Madam Chair,

Disinformation - or foreign information manipulation and interference - has increasingly become a challenge to the rule of law, human rights, and the safeguarding of international peace and security across borders. We believe a focus on countering disinformation is necessary in the scope of our debate today, given that disinformation campaigns have increased throughout the pandemic. The rise of disinformation is regrettably one of the negative consequences of the pandemic and a critical threat to the rule of law.

Disinformation may destabilise the rule of law and may cause broader societal harm. Most significantly, disinformation has the potential to undermine the credibility of institutions that play an essential role in upholding the rule of law.

We are concerned by this worrying trend, especially as democracies are often distinctive targets of this form of attack in times of crisis. The EU stands firm in its fight against disinformation, and stands up against the adversities it causes to society as a whole and the rule of law in particular. Against this background the EU, within the framework of the Strategic Compass adopted in March this year, decided to develop a specific toolbox in order to make the Union better equipped to counter disinformation.

Mr./Madam Chair,

The EU believes that the rule of law has to be resilient in the face of a 21st century marked by global threats such as the coronavirus. The pandemic has propelled us to create effective, fast, and resilient responses to these challenges.

It is important for us to debate further on the pathways to strengthen the rule of law, and to ensure that such transnational challenges are addressed through a steadfast rule of law-centred approach.

I thank you.