



INDIA
भारत

STATEMENT BY

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ON

AGENDA ITEM 84

“THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVEL”

AT THE

SIXTH COMMITTEE OF THE 77th SESSION OF THE

UNITED NATIONS GENERAL ASSEMBLY

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Mr. Chairman

We thank the Secretary-General for his report on “Strengthening and Coordinating United Nations Rule of Law Activities”. It very eloquently brings out the approach of the United Nations to the crucial issue of rule of law at the national and international levels.

2. We associate with the statement made by Iran on behalf of the Non-Aligned Movement. The following additional remarks are made in our national capacity.

3. The item “Rule of Law at the National and International Levels” has been on the agenda of the United Nations General Assembly since its 61st Session. The main purpose for inclusion of this agenda item was to effectively implement the relevant outcomes of the 2005 World Summit and to develop ways to strengthen the concept so as to promote cooperation and coordination for its implementation.

4. We note, with appreciation, that there continues to be progress towards a more comprehensive and joint approach among United Nations entities to support the rule of law in line with national priorities and plans.

Mr. Chairman

5. India strongly adheres to the rule of law both at the national and international levels. At the national level, India considers the advancement of the rule of law as an essential tool for the protection of democracy, promotion of sustainable economic growth, sustainable development, poverty eradication and protection of human rights and fundamental freedoms. As a basic tenet of our democracy, the Constitution of India has enshrined a fundamental right that “the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”. The Constitution, thus, guarantees to the people equality before law without any discrimination whatsoever to ensure the promotion and protection of individual rights and fundamental freedoms.

6. The Indian Constitution is firmly rooted in rule of law principles, ensuring separation of powers between the executive, legislative and judicial branches of the State and making each one accountable for their actions; providing a constitutional system of checks and balances; and, ensuring adherence to the

provisions of the Constitution by rulemaking, implementing and adjudicating authorities.

7. The Constitution of India also has entrusted the Central Government with the responsibility of implementation of international treaties and agreements to which India is a party. At the international level we see the promotion of the rule of law as an essential tool for promoting harmony, and ensuring development, peaceful co-existence and cooperation among States and strengthening international peace and security.

Mr. Chairman,

8. Pursuant to GA Resolution 76/117 of 2021 on the “Rule of law at the national and international levels”, **the** focus of our debate in this session is on the subtopic “The impacts of the global coronavirus disease (COVID-19) pandemic on the rule of law at the national and international levels”.

9. In this context, we would like to mention that the challenges in these trying times have been harnessed by us as an opportunity to make more concerted efforts to bring our national laws in consonance with our international obligations.

10. In India, the law relating to pandemic is broadly governed by the Epidemic Disease Act of 1897, the Disaster Management Act of 2005, and the Indian Penal Code of 1860- which have been amended from time to time to serve contemporary legal requirements. We have revamped our legal system and strengthened its operating procedures to mitigate the effects of the Covid-19 pandemic.

11. Our legal system now effectively utilizes IT-enabled virtual systems and communication facilities to minimize the effect of the global pandemic on people seeking legal and judicial redressal. The remarkable reach of the internet has been harnessed by Government of India and the Indian Judiciary to deliver legal aid and justice to people from every corner of the country, while addressing health concerns during the pandemic.

Mr. Chairman,

12. India is firmly committed to implement the rule of law at the national level so that the ideals of democracy, human rights, dignity, and peaceful co-existence,

which are the cornerstones of a civilized society, can be achieved and further promoted.

13. Our judicial system oversees that the rule of law is enforced rigorously at the national level. At the executive level, the Government has adopted major social development programmes aimed at poverty elimination, and ensuring inclusive growth so that the benefits of development can reach every section of the society. Social and economic justice are being equally given importance in national governance.

Mr. Chairman,

14. With its emphasis on rule of law as an enabler of peace, justice and inclusion, the Sustainable Development Goal (SDG)-16 of the 2030 Agenda for Sustainable Development has been seeking to promote stronger institutions, and effective governance to reduce inequalities for preventing and mitigating disease outbreaks such as COVID-19. The values and principles enshrined in SDG-16, and Agenda 2030, overall, remain highly relevant to overcome the ongoing crisis and ensure a just, equitable and sustainable recovery for all.

15. Rule of law at the international level also entails reform of our international institutions of global governance, including those charged with the responsibility of maintenance of international peace and security. Reform of the United Nations, with the Security Council at its core, is needed to uphold the rule of law at international levels and ensure effective multilateral actions. There is an urgent need to ensure rule of law, by making Security Council more representative by providing enhanced membership to developing countries in both the permanent and non-permanent categories.

Mr. Chairman,

16. To ensure transparency, fairness, and adherence to the rule of law in the UN system, it is necessary that the mandate of one organ of the UN should not be infringed upon or duplicated by some other organ of the UN.

17. India remains committed to advancing the rule of law and partnering with the UN and other Member-States in advancing this critical endeavour.

Thank you, Mr. Chairman.
