

Statement on behalf of the African Group

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

Agenda item 84

07 October 2022

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.

Chairperson,

The African Group thanks the Secretary-General for his report contained in document A/77/213, which provides valuable information on efforts to promote and strengthen the rule of law at the national and international levels as well as on the coordination of United Nations rule of law assistance.

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. The rule of law is indeed a core component of peace, security and sustainable development.

We are pleased to note that the UN has supported the actions of Member States in the prevention of corruption, access to justice, counter-terrorism and crime, constitutional assistance, transitional justice as well as 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.

Chairperson,

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 his report, the Secretary General suggested that this year's subtopic could be "Technology to advance access to justice for all". In this context, we are pleased to note that several Members States, including from the African Group, addressed the impact of the pandemic on their justice systems by resorting to the use of technologies to ensure both access to and delivery of justice. Remote proceedings in order to maintain business continuity were introduced. We believed that promoting further capacity building on the use of technologies for enhancing justice systems can be a valuable undertaking.

It is also worth noting that during the pandemic, 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.

The African Group remains 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.

Chairperson,

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 reiterate our view

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.

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.

In *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.

We look forward to the Secretary General’s new vision for rule of law assistance that it being developed and which will be launched by the end of the year.

Chairperson,

The dissemination of international law is a central means to strengthen the rule of law at the international level and 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.

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.

I thank you for your kind attention.