

**Statement by H.E. Mr. Jongin BAE (Deputy Permanent Representative)
Permanent Mission of the Republic of Korea
The Rule of Law at the National and International Levels (Agenda Item 84)
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Thank you, Mr./Madam Chair,

(Introduction)

Over the past few years, we have witnessed growing challenges to the rule of law at both the domestic and global levels. The pandemic has eroded trust between governments and citizens, and the ongoing war in Ukraine has shaken the UN Charter to the core.

The rule of law is not a mere concept in a vacuum. We must put it into practice so that the rule of law serves as a counteracting weight against lawlessness and the illegal use of force.

In this regard, it is our Member States that can make the rule of law function as it was intended as an indispensable foundation for a just and lasting peace.

(SG's Report and OCA)

My delegation would like to express its deep appreciation to the Secretary General for continuing to prioritize the rule of law and for his report, illustrating ways to improve capacity-building for judicial and non-judicial mechanisms.

In the same vein, we anticipate that the new vision presented in Our Common Agenda continues to provide strategic guidance for operational rule-of-law activities. My delegation understands that this new vision is not aimed at redefining the concept of the rule of law, but is more focused on producing concrete outcomes, especially in the areas of access to justice for women and girls and anti-corruption.

(Pandemic and Rule of Law)

On the main theme of “the impact of COVID-19 on the rule of law,” our struggle with the pandemic has taught us that public and private partnerships, the most effective response to any

crisis, can be only forged on the basis of trust. And this trust can only be gained through transparency, stability and predictability based on the rule of law.

Any restrictive measure should be taken within the confines of the law and through the legal process. Through civic feedback and interactions, these measures need to be constantly rectified, modified or even lifted as a result of a delicate balancing act between the necessity of the measures and the consideration of human rights.

In times of crisis, we have to caution ourselves against the possibility that the rule of law can be exploited as a pretext for unduly restricting basic human rights. As our High-level Rule of Law Declaration 10 years ago made clear, the rule of law is interlinked to, and mutually reinforcing with, human rights.¹

(UN Charter and Russia's invasion of Ukraine)

My delegation believes that the UN Charter is another manifestation of the rule of law, and at its core is the prohibition of force and the peaceful settlement of disputes. This fundamental obligation has been repeatedly affirmed with increasing clarity and further elaboration by the Friendly Relations Declaration of 1970 and the High-Level Rule of Law Declaration of 2012.

Russia's invasion of Ukraine has blatantly violated this paramount commitment and flouted the Charter. The latest developments of the so-called referenda and the alleged annexations contradict what the Charter stands for and cannot be reconciled with the rule of law.

My delegation reaffirms the relevance of the Charter in such circumstances, condemns the armed invasion against a sovereign State, and does not recognize the alleged annexations. Only by expressly declaring what is wrongful can we correct our course where it has deviated from the rule of law. In this regard, we strongly support international accountability efforts to ensure justice for victims and prevent further violations.

(Regulating Emerging areas)

¹ 5. We reaffirm that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations.

We also need to have the forethought to regulate such emerging areas as cybersecurity, outer space, and emerging technologies like artificial intelligence, and their implications on the rule of law.

These emerging areas are not a Wild West. International law governs the conduct of States in cybersecurity and outer space. Yet we should continue to discuss how we apply the rules and principles of international law in a seamless manner, and what, if any, adaptations are required. We have to make sure that the culture of the rule of law should prevail in these areas.

(Promotion and dissemination of international law)

International law and its implementing mechanisms require revitalization. My delegation appreciates the Secretary General's efforts to revitalize the global legal framework, and anticipates a global roadmap for the development of international law.

In this vein, my delegation would like to stress the importance of the promotion and dissemination of international law. In order for international law to be 'truly' international law, there must be more exchanges and interactions among all legal traditions and regions.

Furthermore, in order for international law to be 'truly' operational at the domestic level, each State ought to internalize the obligations of international law. My delegation would like priority to be accorded to technical assistance and capacity-building for the domestic implementation of these obligations of international law, and the next Secretary General's report to duly take into account this aspect.

Thank you. /End/