



**STATEMENT BY
DELEGATION OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS**

**at the Sixth Committee of the
Seventy-seventh session of the UN General Assembly**

**Agenda Item 84:
“The Rule of Law at the National and International Levels”**

NEW YORK, 7 OCTOBER 2022

Mr. Chair,

1. To begin with, allow me to express our sincere appreciation to the Secretary General for his report contained in document A/77/213.
2. Indonesia aligns itself with the statements previously delivered by the delegation of Iran and Cambodia, on behalf of the NAM and ASEAN respectively.
3. Indonesia views that the rule of law at the national and international levels has always been a fundamental agenda of this esteemed Committee and the UN.
4. The rule of law is a universal principle to which Indonesia firmly ascribes.
5. It is an indispensable foundation for a more peaceful, prosperous, and just world. It is also an important element to the attainment of the 2030 Sustainable Development Agenda.
6. The rule of law is also embedded profoundly in “Pancasila”, the five guiding principles of our national life, that envisioned a just and civilized humanity.

Mr. Chair,

7. At this opportunity, I wish to draw your attention on **paragraph 64** of the Secretary General’s report.

8. Indonesia **strongly opposes** to the establishment of common international standards on the trade of goods used for capital punishment and torture;
 - objects any suggestions that capital punishment is torture;
 - rejects any contentions implying that States who apply capital punishment are not contributing to the rule of law; and
 - it is also inconsistent with the multilateral efforts to combat protectionism all its forms on trades.
9. Furthermore, Indonesia deems that the General Assembly is not the appropriate body to regulate trade matters.
10. And as a matter of facts, to this date, there has been no consensus among UN Member States on the abolition of capital punishment,
 - and absence of international law prohibition against its use.
11. We profoundly believe that the application of capital punishment is
 - within the scope and consistent with Article 6 para 2 of the ICCPR; and
 - the sovereign right of all States to develop their own legal system, including determining appropriate legal penalties, in accordance with their international law obligations;
12. Therefore, we need to recognize the distinct legal and sociological considerations of States that still maintain capital punishment.

Mr. Chair,

13. Capital punishment has been in our penal code and criminal justice system since 1945.
 - Applied by exercising maximum restraint and only as a last resort, through stringent due process of law, and only relates to 16 most serious types of crimes such as terrorism and drugs related crimes.
14. The execution is carried out only when the verdict has a permanent legal force, after all appeals and other available legal avenues are exhausted, and when the request for clemency is denied.
15. The capital punishment remains significant and relevant in creating a safer environment for society and preventing falling victims to the most serious crime.
16. Once again, Indonesia reaffirms its unwavering commitment to the purposes and principles of the Charter of the United Nations, international law, and justice, and to an international order based on the rule of law as we continue to review our laws with regard to capital punishment and its options, including to the commutation into long-term sentence.

Mr. Chair,

17. Before I conclude my statement, allow me to go back to the subtopic of today's debate on the impacts of the global pandemic on the rule of law.

18. Indonesia agrees that global pandemic creates challenges and disrupts the works of the judiciary. But at the same time, it opens an opportunity for a creative innovation of judicial system.
19. By utilizing the advancement of information and communication technology, the Indonesian Supreme Court made a leap on the administration and litigation of justice by the introduction of e-Court and e-Litigation since 2019
→ and fully implemented during the spike of the pandemic in 2020-2021.
20. This creative innovation not only ensures that the judicial system is working despite the pandemic, but it also serves the interest of people in promoting a more transparent, inclusive, and accountable justice system.
21. Thank you.