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CHECK AGAINST DELIVERY

GENERAL ASSEMBLY, SIXTH COMMITTEE

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THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

Mr. Chairman

We thank the Secretary-General for his first report on United Nations rule of law activities. We welcome in particular the focus on the 2030 agenda and the call to make UN rule of law assistance in the field more effective and coherent. We also appreciated the address of the President of the General Assembly, H.E. Mr. Miroslav Lajčák, on Monday and in particular his comment that no Sustainable Development Goal can be achieved, no person's rights can be fully protected, and no peace can last, without the rule of law.

The 2030 Agenda underlines the role of the rule of law as the building block of all three pillars of UN work – peace and security, human rights and development. Challenges to peace and security call for a strengthening of the international legal order. In this respect, I wish to highlight the significance of the Treaty on the Prohibition of Nuclear Weapons. We are happy to be among its signatories and committed to helping it unfold its full potential over time. Criminalizing the most serious forms of the illegal use of force in December this year will be another landmark development for the rule of law at the international level. To this end, we will continue working with all State Parties to the Rome Statute of the International Criminal Court. In doing so, we wish to ensure a smooth activation decision, garnering the strongest possible political acceptance and preserving the integrity of the Kampala amendments. Creating

individual criminal accountability for one of the most serious offences against international law complements the prohibition of the illegal use of force under the UN Charter in a meaningful and important way. We welcome the positive ratification process, as reflected in the Secretary-General's report. More States should and will join once the Court's jurisdiction has been activated.

Mr. Chairman

The United Nations has developed a strong track record in the area of accountability and criminal justice. From the creation of the ad hoc tribunals by the Security Council in the 90's to the establishment of an accountability mechanism for Syria last December, the UN system has proven its ability to ensure accountability for genocide, crimes against humanity and war crimes. But significant impunity gaps remain. The hopes for a dynamic and productive relationship between the Security Council and the International Criminal Court have largely been unfulfilled. There is little reason to expect this to change in the near future. But the Security Council is not the only UN organ that can do effective accountability work. Both the Secretariat and, more recently, the General Assembly, have shown innovative and promising paths to accountability. The creation of the International, Impartial and Independent Mechanism (IIIM) for the most serious crimes committed in Syria is the most recent illustration of the Assembly's potential to play a productive role. The mandate of the IIIM is to prepare case files for prosecutions in courts that have jurisdiction over crimes committed in Syria, irrespective of the affiliation of the perpetrators. In accordance with the principle of complementarity, it is first and foremost the Syrian judiciary that has jurisdiction over these crimes. In the case of continued unwillingness or inability of the national courts, other judiciaries, in accordance with the principle of universal jurisdiction, or an international criminal justice mechanism can step in. The fact that the overwhelming majority of the UN membership voted in favor of this accountability project speaks for itself. We are encouraged by the strong political and financial support States have given to the IIIM in the past months. We look forward to more accountability work carried out in the General Assembly, given the profound disagreements in the Security Council on this agenda.

Mr. Chairman

We echo the call of the Secretary-General to identify ways of improving the cost-efficiency and financial sustainability of international accountability mechanisms. Compared to military interventions of peacekeeping missions, activities to ensure justice are inexpensive. More importantly, they are investments in sustainable peace and thus sustainable development. Holding perpetrators accountable facilitates the reconciliation of societies, brings stability and prevents violence. We strongly believe that such mechanisms should therefore be funded from the regular budget of the United Nations. We will work with like-minded States and the Secretary-General to ensure regular budget funding for the IIIM in particular.

Mr. Chairman

The 2030 Agenda includes numerous targets – in particular in SDG 16 - that incorporate important elements of the rule of law, such as access to justice, equality and non-discrimination, the fight against corruption and good governance. It fully recognizes the rule of law both as an indispensable enabler, as well as an outcome, of sustainable development. We look forward to increasing our joint efforts to reach these goals, with a particular emphasis on Goal 16.

I thank you.