



PERMANENT MISSION  
OF ESTONIA TO THE UN

Republic of Estonia

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Agenda item 85: "The rule of law at the national and international level"

Statement by Mr. Gert Auväärt, Legal Adviser

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Estonia aligns itself with the EU statement delivered earlier.

In addition I would like to make the following remarks:

Estonia welcomes the report of the Secretary-General of 27 July 2015 on Strengthening and Coordinating United Nations Rule of law activities. The report illustrates the progress towards a united international framework of norms and standards. The annexed analytical summary of the thematic debates on the subject provides an excellent tool for assessing how we should form our future discussions on the rule of law to most comprehensively meet the challenges facing the international community. We particularly welcome the part of the report dedicated to the subtopic "*The role of multilateral treaty processes in promoting and advancing the rule of law*", on which the General Assembly invited the UN Member States to focus their comments in the present Sixth Committee.

Estonia is happy to witness the exponential growth in the amount of multilateral treaties, as they clarify, structure, and promote international relations by establishing common rules for all nations. Further, they serve as precedent and contribute to the important development of legal principles. We commend the efficient work of the UN office of Legal Affairs in discharging the functions of Secretary General as depositary of multilateral treaties. We especially welcome the Office's increased use of information technology as the treaty databases increase transparency and create easier access to relevant information. Moreover, it is a useful tool for the world's legal practitioners. Estonia has for years been innovative in making English translations of the Estonian Laws, including treaties, available online in a national database.

The rule of law is a core principle of governance that ensures justice and fairness in which all individuals and the State itself are accountable to laws that are equally enforced and independently adjudicated. Adherence to the rule of law at home increases chances that we also comply with the

principle in our interactions abroad. Estonia firmly believes that loyalty to the rule of law, on both the national and international level, first and foremost should be considered a prerequisite for the flourish of our fundamental values as articulated in the three pillars of the United Nations Charter as peace and security, development and human rights. We cannot achieve these values without the promotion of the rule of law, and rule of law cannot thrive without the protection of these values. As such, they are mutually reinforcing.

On peace and security the rule of law provides the foundation for effective conflict prevention, peacekeeping, peace-making, and peacebuilding. Adherence to the rule of law and the provision of justice fosters public trust in national government institutions, which is essential for developing a safer environment for us all.

When it comes to sustainable development, good governance, transparency in decision-making processes and low corruption at all levels are the best guarantees for progress. The General Assembly recognized this important role of the rule of law when adopting the 2030 agenda for sustainable development, which we need to implement effectively and comprehensively. Modern digital technology provides a valuable assistance in building the necessary effective and accountable institutions, which are powerful enablers for sustainable development. On a practical level, Estonia has developed an e-governance system that increases transparency and helps eliminate corruption. We have offered it to all countries that share these goals and we will continue to do so.

Regarding human rights, the rule of law provides a tool to improve the fundamental human right of access to justice, which inherently links to fighting impunity and ensuring accountability for the perpetration of the most serious crimes. Estonia firmly supports the important work of the International Criminal Court that provides justice for victims and contributes to constructive transitions from conflict to sustainable peace. In this respect, we recall the importance of international cooperation and judicial assistance for the Court to conduct its work efficiently.

Universality of international laws and adherence by all to the same principles are essential in improving the world. Estonia calls upon all countries that have not yet done so to ratify the Rome Statute and similarly, we urge States Parties to join in the ratification of the Kampala amendments. All countries – whether they have joined the Rome Statute or not – must set an example of non-aggression, self-restraint, and respect for the rule of law. We commend all the ad-hoc tribunals' work to pursue accountability for those who have perpetrated atrocity crimes, and we welcome the various

UN entities' support to the judicial institutions, especially in investigating and prosecuting conflict-related sexual violence.

At the same time, Estonia recognises the need for balancing the rule of law between the national and international level. First and foremost, the responsibility of providing accountability is a domestic task. Therefore, it is essential that States build national capacities to investigate and prosecute serious international crimes. This should include a comprehensive legislative framework to ensure investigation and prosecution of crimes, incorporation of Rome Statute crimes into domestic criminal codes and ensuring robust witness protection programs so that those who are brave enough to come forward are safe enough to do so.

Estonia believes in a world ruled by law, and we call upon member states and the international community as a whole to continue its efforts in promoting and strengthening the rule of law, and to consider it a long-term investment.