



72nd Session of the General Assembly

Sixth Committee

Agenda Item 84: Rule of law at the national and international levels

Statement by Austria

New York, 4 October 2017

Mr. Chair,

My delegation fully aligns itself with the statement made by the European Union.

Austria would like to warmly thank the Deputy Secretary-General for introducing and framing our debate this year, which illustrates the dedication and commitment of the highest level of leadership in the United Nations for advocating and strengthening the rule of law. We recognize the important results achieved by the United Nations in support of Member States' rule of law initiatives.

As the coordinator of the **Group of Friends of the Rule of Law**, consisting of 50 delegations, Austria is pleased that the Secretary-General has continued to place a high priority on the rule of law as a matter of system-wide policy coordination.

Austria welcomes the **first annual report by the new Secretary-General on strengthening and coordinating United Nations rule of law activities**. My delegation fully agrees with the Secretary-General's assessment that the United Nations must do more to support Member States to implement the rule of law related elements of the 2030 Agenda for Sustainable Development. The rule of law has a clear impact, for example, on eliminating poverty, reducing inequalities, supporting gender equality, protecting the environment and creating just, inclusive and strong institutions. We encourage UN entities to **enhance coordination and coherence amongst the three pillars**. The Global Focal Point, for example, is a working arrangement that has served to increase operational coherence in support on the ground. We call on Member States to work with the United Nations to strengthen partnerships and cooperation, to improve the availability of technical expertise and enhance the support provided by the United Nations.

Austria commends the Secretary-General's call for a **frank and open dialogue with Member States to reflect upon the effectiveness of United Nations rule of law assistance** and, in particular, the ways in which its effectiveness, sustainability and coherence can be strengthened across the three pillars of the Organization. My delegation would like to request the Secretary-General to include concrete steps to further improve effectiveness, sustainability and coherence of UN rule of law assistance in his next report to the 73rd General Assembly.

Mr. Chair,

As to the **subtopic** for our debate, Austria strongly believes that a rules-based international system with clear and predictable rules is an essential precondition for lasting peace, security, economic development and social progress. We call upon all Member States to actively promote an international order based on the **rule of law and international law**, with the United Nations at its core. This includes ratification and implementation of relevant international agreements, including international human rights treaties, and the settlement of disputes by peaceful means, including the International Court of Justice.

When considering how to **strengthen and disseminate** international law, we must first acknowledge that respect for and compliance with international law is the foundation of a functioning, just, rules-based international system. We must work harder to ensure **compliance with international law**, including international human rights and humanitarian law. Austria strongly supports the work of the **human rights**

treaty bodies, as well as similar mechanisms, such as Commissions of Inquiry, which enable States to ensure full implementation and compliance with multilateral treaties. In this regard, the **Universal Periodic Review** in the framework of the UN Human Rights Council plays an important role. Austria is committed to fully implementing its obligations under multilateral treaties and supports the work of other **international and regional mechanisms created to ensure compliance**, such as the European Court of Human rights and the **Council of Europe** and other efforts such as the intergovernmental process within the framework of the ICRC to **strengthen respect for international humanitarian law**.

We must increase our prevention efforts, must stop mass atrocities and ensure that the perpetrators are brought to justice, including through international criminal justice mechanisms. **Accountability** and the fight against impunity for violations of international human rights and humanitarian law are central to rebuilding post-conflict societies and ensuring lasting peace. Austria is a strong supporter of the ICC and has ratified the Kampala amendments to the Statute of the ICC.

Austria would also like to take the opportunity to highlight the important role of the **International Law Commission** in codifying and progressively developing international law. The work of the ILC is often cited and applied by national and international courts even before it reaches the status of a binding multilateral treaty, especially where it is reflective of customary international law. Examples include the Articles on State Responsibility or the UN Convention on Jurisdictional Immunities of States and Their Property, which has unfortunately not yet entered into force.

Where dissemination of international law is concerned, my delegation would like to commend the work of the UN Office of Legal Affairs including the Audio-Visual Library of International Law and the **UN Treaty Section**. Austria welcomes the efforts made by the Treaty Section of the Office of Legal Affairs to organize the annual Treaty Event, to develop and enhance the United Nations electronic treaty database, organize workshops on treaty practice and prepare legal publications. We reaffirm the importance of the registration and publication of treaties as a means to promote the rule of law at the international level. In this regard, Austria welcomes the thorough report submitted by the Secretary-General, which contains a review of the **Regulations to give effect to Article 102** of the Charter and detailed proposals with a view to align them with the law of treaties and current practice and to modernize the methods for disseminating information on registered treaties through the use of electronic resources. Austria is of the view that the Sixth Committee should engage in a dedicated debate on the review of the Regulations, to take into account the challenges and needs of Member States.

Mr. Chair,

In conclusion, I would like to stress that our efforts to promote the rule of law do not serve an abstract goal, but the protection of the rights and interests of individuals. Austria, also in its role as coordinator of the Group of Friends of the Rule of Law, will continue to give utmost priority to this subject.

Thank you.