



Statement by Mr. Bharat Raj Paudyal, Member of Nepali Delegation to the 72nd UNGA, on the "Rule of Law at the National and International Levels (item 84)" of the Sixth Committee of the Seventy-First Session of the General Assembly

Thursday, 06 October 2017

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Mr. Chairman

My delegation aligns itself with the statement delivered by Iran on behalf of the Non-Aligned Movement.

Our sincere appreciation goes to the Secretary-General for his comprehensive reports under this agenda item.

Nepal attaches great importance to promoting rule of law at the national, regional and international levels.

We firmly believe that rule of law is the foundation of good governance, peace, and stability. We also consider that justice, democracy, freedom and sustainable development cannot be upheld in any society without ensuring rule of law and building strong institutions to enforce it.

Only by adhering to rule based system by all can we foster equality, equity and greater transparency and accountability. This applies both at the national and international level.

Importance of rule of law at international level is more important for small countries like ours and this forum, the UN General assembly, can play vital role to ensure that rule of law prevails in its true spirit in the conduct of relations among nations, as well as in the practice of other international actors.

We firmly believe that rule of law contributes for the further strengthening of the three pillars upon which the United Nations was founded, namely, international peace and security, human rights and development.

The rule of law provides a basis for diplomacy, dialogue, cooperation, peaceful settlement of international disputes, and enables finding solutions to global problems.

Nepal reiterates its unflinching adherence to the purposes and principles enshrined in the Charter of the United Nations. Nepal strongly upholds the principles of sovereign equality, peaceful co-existence, non-interference, prohibition on the threat or use of force as well as peaceful settlement of international disputes.

We believe that the principles enshrined in the UN Charter should guide our conduct at international level and we should demonstrate that those fundamental principle have been sincerely adhered to.

Nepal firmly believes in equal participation of all states in decision making of global governance, and should be enabled with equal opportunity to participate in international law making process.

Nepal appreciates the efforts taken by the Secretary General to give effect to the implementation of Article 102 of the UN Charter and that should continue in the interest of all member States.

Similarly, we take note of the UN's cooperation to rule of law projects in different countries. While such cooperation may add value in the domestic efforts of strengthening of rule of law in national context, such efforts must always be demand driven and context specific to support and the already existing domestic efforts and institutions.

While speaking of rule of law in the international context, we are acutely aware of the challenges posed by terrorism and transnational organized crimes that have increasingly undermined our efforts to enforce rule of law. It has impacts on our effort to promote rule of both at national and international level. Such threats demand increased and coherent international and regional cooperation to prevent and combat such crimes.

Mr. Chairman,

Nepal is a State party to 24 different human rights related international instruments, including 7 out of 9 core instruments. To give effect to the provisions of those instruments and to fulfill our obligations, Nepal has internalized them in our national laws and implemented them in earnest.

Nepal's law recognizes that obligations under international treaties to which we are a State party have equal legal effect to that of domestic laws.

Last year we ratified the Paris Convention on Climate Change and we became a State party to the Biological Weapons Convention. Last month we signed the Treaty on the Prohibition of Nuclear Weapons. Similarly, Nepal joined the Secretary General's Compact on Sexual Violence and Abuse, we adopted the Kigali Principles on the protection of civilians, and we joined with dozens of other states in a Call to Action to Combat Human Trafficking and Modern Day Slavery.

Recently Nepal has adopted two comprehensive new laws, namely, criminal procedure code and civil code that have not only updated and reformed the existing laws but also aligned them in conformity with international laws and practices. These new laws are firmly founded on the idea of strengthening rule of law and ensuring accountability in event of both civil and criminal liability.

Mr. Chairman,

At the national level, Nepal's democratic and inclusive Constitution guarantees protection of human rights, adherence to rule of law and provides for independent and competent Judiciary.

Equality and non-discrimination remains at the core of our constitutional and legal system. Promoting tolerance, respecting social and cultural diversity, and ensuring inclusion of all segments of our society have been deeply ingrained in the constitution.

We have implemented those ethos through the provision of proportional electoral process, guaranteed reservation to women and disadvantaged communities and by building institutions to the implementation and monitoring of those provisions.

Fully developed legal and institutional frameworks are in place to strengthen rule of law at our national level. Special measures of protection and care have been taken to bring the disadvantaged groups in the national mainstream.

Fourteen constitutional bodies have been established to safeguard, promote and protect the rights, welfare and interests of women, children, indigenous groups, minority, Dalits, Madhesi, and other disadvantaged groups.

National Human Rights Commission with "A category" accreditation by the International Coordinating Committee of the National Human Rights Institutions enjoys full independence to freely function and fulfill its responsibilities.

Nepal's judiciary is fully independent and functions as per the principle of separation of power without interference. Bearing in mind the need of access to justice for all, network of judiciary has been expanded across the country, and the Government has made free legal aid services available to those who cannot afford legal expenses, including the women and indigents.

Mr. Chairman,

Recognizing the strong interrelationship between the rule of law and development, Nepal remains committed to the implementation of goal 16 of the 2030 Agenda for Sustainable Development.

Its timely implementation strengthens national institutions, leading to a peaceful, stable and prosperous society. Therefore, Nepal has fully integrated the 2030 Agenda into its national development plan. Our sincere resolve to ensure equality and not to leave anyone behind has been fully reflected into our national policies and plans and we look forward the international partnership and collaboration in the realization of the SDGs.

I thank you Mr. Chairman.