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The Rule of Law at the national and international levels

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(Check against delivery)

Mr. Chairman

Australia welcomes the continued focus on the rule of law at the national and international levels by the UN in 2014. The rule of law plays a vital role not only in the establishment and maintenance of peace and democracy, but also in achieving sustainable development. It is, fundamentally, the best guarantee of the freedom and dignity of all people.

We thank the UN Secretary-General for his report on 'Strengthening and coordinating United Nations rule of law activities', which identified some of the most important linkages between the rule of law, human rights, peace and security and development.¹ Member States should discuss the options set out in the report for strengthening the linkages identified.

Mr Chairman

The international criminal justice system plays an important role in preventing impunity, limiting historical revisionism and upholding the rule of law. By bringing justice to victims of mass atrocity crimes, accountability mechanisms can help establish an inclusive and lasting peace. Australia is therefore committed to supporting the mandates

¹ A/69/213/Add.1

of the relevant *ad hoc* courts and tribunals. The Extraordinary Chambers in the Courts of Cambodia achieved a significant milestone on 7 August when the trial chamber delivered guilty verdicts against two former Khmer Rouge leaders for crimes against humanity, which we note are now on appeal.

Australia is also a strong supporter of the International Criminal Court (ICC). In order to achieve the aims and objectives of the Rome Statute, it is critical that States Parties demonstrate their political and diplomatic support for the ICC, including by fulfilling their cooperation obligations. States which are the subject of Security Council referrals to the ICC must also cooperate with the Court. Australia encourages all States which have not yet done so to ratify the Rome Statute.

The International Court of Justice (ICJ) – the principal judicial organ of the UN – also provides a vital function because it provides States with a mechanism through which they can seek a peaceful resolution of disputes. Australia encourages all Member States that have not yet done so to consider accepting the compulsory jurisdiction of the ICJ.

Mr Chairman

Effective and accountable governance is essential at the international level and the UN has a critical role to play in this regard.

This is particularly so in the UN's peacekeeping and peacebuilding activities. In this regard we welcome the designation of DPKO and UNDP as the joint Global Focal Point for police, justice and corrections, which we trust will result in improved coordination and effectiveness of the UN's rule of law efforts. As an elected member of the Security Council, we have advocated for sufficient authority, clarity and direction to be given to UN Peacekeeping missions to carry out their rule of law mandates, and that such mandates are given appropriate priority within missions. Successful rule of law interventions conducted in partnership with the host State can significantly reduce the likelihood of the outbreak or resumption of conflict as well as mass atrocity crimes.

Mr Chairman

We welcome the focus of today's debate on the subtopic 'Sharing States' national practices in strengthening the rule of law through access to justice'.

In our region and elsewhere, Australia is helping to build effective law and justice systems to increase the safety and security of communities, improve people's access to justice, and address violence against women. And we have learned from experience that national ownership and leadership are vital for the success of such initiatives.

Access to justice for individuals and communities is particularly important, as it builds trust in national institutions and encourages peaceful settlement of disputes. Australia is working in partnership with Indonesia to roll-out Indonesia's first publically funded, national system to deliver legal aid. The partnership will also work to assist people with a disability to access the legal system and address systemic discrimination.

In Papua New Guinea (PNG), Australia's support for law and justice infrastructure has increased access to law and justice services in the provinces through the construction and expansion of national and district court houses, separate and secure facilities for female prisoners, and housing to support the permanent placement of judges, magistrates, prosecutors and legal aid solicitors. Under the Strongim Gavman Program, Australian Government officials work as advisers to PNG Government counterparts to help strengthen key agencies. This has included activities such as assisting in the establishment of the Family and Sexual Offences Unit in the PNG Office of the Public Prosecutor.

In Cambodia, Australia has invested in research into the prevalence of violence against women, including those with a disability. Listening to the needs of local women is already informing program design. For example, the Ending Violence Against Women in Cambodia program, will help the Cambodian National Police refine crime reporting systems to better reflect the type of violence perpetrated and to identify those victims with a disability.

Law and justice institutions are also important for sustainable development. As identified in the Secretary-General's report, poverty often stems from disempowerment, exclusion and discrimination. Predictable and credible property rights, community safety and non-violent dispute resolution are therefore essential for building vibrant communities. For this reason, the post-2015 development agenda should focus on creating peaceful, inclusive societies and effective institutions, based on the principles of equality, transparency and accountability.

Mr Chairman

Rule of law is at the heart of the social contracts between the state and its citizens, ensuring that justice permeates society at every level and governments are accountable. By promoting and reinforcing rule of law principles, the international community can reduce the likelihood of conflict occurring or reoccurring while providing an effective framework for global development.

Thank you.