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

Statement by Ms. Nadia Kalb

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Mr. Chair,

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

Austria would like to warmly thank the Assistant Secretary-General for introducing the Secretary General's report 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 regrets that the Sixth Committee was not in a position to answer the Secretary-General's call last year for an **open dialogue with Member States to reflect upon** the ways in which effectiveness, sustainability and coherence of **United Nations rule of law assistance** can be strengthened across the three pillars of the Organization. We welcome that the **annual report (A/73/253) on strengthening and coordinating United Nations rule of law activities** nevertheless contains frank assessments on where the UN and Member States can and must to better:

- We must do more to support Member States to implement the **rule of law related elements of the 2030 Agenda for Sustainable Development**, particularly in view of the upcoming High level political Forum in 2019 where, among others, progress on Goal 16 is to be reviewed. 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**.
- We must do more to strengthen **accountability** for the most serious crimes at the national and international levels, and acknowledge that more resources are necessary to achieve this goal. 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 International Criminal Court and welcomes the recent activation of the ICC's jurisdiction over the crime of aggression. Austria also supports other international accountability mechanisms, and has contributed financially to the IIM for Syria and welcomes the recent establishment of a similar IIM for Myanmar by the Human Rights Council. Austria also supports Commissions of Inquiry, Fact-finding missions and has recently pledged additional financial support to international justice mechanisms.
- We must do more to mobilize **resources for effective rule of law assistance within peace-keeping** operations and beyond, in the transition to UN country teams.

My delegation would like to reiterate its request to the Secretary-General to recommend **concrete steps to further improve effectiveness, sustainability and coherence of UN rule of law assistance** in his next report to the General Assembly. We commend the Global

Focal Point arrangement for improving coordination and cohesion in UN rule of law assistance in the field. 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.

Mr. Chair,

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 international agreements, including international human rights treaties, and the settlement of disputes by peaceful means.

We must work harder to ensure **compliance with international law**, including international human rights and humanitarian law to strengthen peaceful mechanisms for dispute settlement. We call on all States to accept the compulsory jurisdiction of the International Court of Justice. Austria fully supports the work of the **human rights treaty bodies**, as well as the **Universal Periodic Review** in the framework of the UN Human Rights Council as well as regional mechanisms and other efforts such as the intergovernmental process within the framework of the ICRC to strengthen respect for international humanitarian law.

Austria would also like to take this 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.

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.