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THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

Mr. Chair

Liechtenstein welcomes the Secretary-General report on *Strengthening and Coordinating United Nations rule of law activities*. We share the report's assessment that certain global trends have created new challenges for national and international rule of law structures. The engagement of the UN in collective efforts to promote the rule of law is therefore more critical than ever. While we were encouraged by the inclusion of the Rule of Law as part of the 2030 agenda in SDG 16, the recent and comprehensive study on the implementation of SDG 16 by the Justice Task Force is a stark illustration of just how much is left to be done. According to the Justice Task Force: at least 250 million people live in extreme conditions of injustice, 1.5 billion people cannot resolve their everyday justice problems, and 4.5 billion people are excluded from the opportunities the law provides. We therefore have much work to do. This is a crucial moment for all of us to stand up for and further develop the rule of law at the national and international levels.

Mr. Chair

Challenges to peace and security call for the strengthening of the rule of law at the international level, in particular. In order to give more strength to article 2 paragraph 4 of the

UN Charter, Liechtenstein worked hard to secure the activation of the International Criminal Court's jurisdiction over the crime of aggression. By criminalizing the most serious forms of the illegal use of force, the ICC not only promises justice to the victims of aggressive war-making but provides deterrence against aggression in the first place. We welcome that 39 States have ratified the ICC's crime of aggression amendments, making them the most widely ratified amendments to the Rome Statute. And we will continue to work together with all ICC States Parties toward the goal of universal ratification of the Rome Statute in its amended version.

Mr. Chair

The ICC is the central institution in the fight to ensure justice for the most serious crimes under international law. But it is not the only one. National judiciaries retain primary jurisdiction, according to the principle of complementarity. And as long as universality of the Rome Statute is not achieved and the UN Security Council is unable to play the role it has under the Rome Statute, we must look for alternative paths to accountability where necessary. The creation of the International, Impartial and Independent Mechanism (IIIM) for the most serious crimes committed in Syria is a good example of the General Assembly's potential to play a productive role in this area. Created almost three years ago, the IIIM is fully operational and has already had concrete impact. We are seeing investigations and prosecutions in a variety of national Courts. States are sharing information with the IIIM. Things are moving in the right direction and accountability for the crimes committed in Syria is now within reach. The IIIM model has also served as an innovative prototype for other situations, most notably in Myanmar. In this regard, we are encouraged that the Investigative Mechanism for Myanmar established by the Human Rights Council is now operational. And, we look forward to discussions on the creation of a standalone IIIM sometime in the future, as well as other innovative models that take the principle of complementarity as the point of departure. In that regard, we would like to note that the International Commission against Impunity in Guatemala was a model that proved its worth and hopefully will be relied on again in the future.

Mr. Chair

Liechtenstein echoes the Secretary-General's call to improve the financial sustainability of international accountability mechanisms. Compared to military interventions of peacekeeping missions, activities to ensure justice are economical. More importantly, they are investments in sustainable peace. Holding perpetrators to account facilitates the reconciliation of societies, which fosters stability and prevents cycles of violence. While we are encouraged by the strong political and financial support States have given to the Syria IIIM thus far, we strongly believe that such mechanisms should be funded from the regular budget of the United Nations – as was decided in the case of the Myanmar mechanism. We are confident that the General Assembly will approve regular budget funding for the Syria IIIM this year.

Mr. Chair,

Lastly, we welcome the attention given by the Secretary-General's report to the challenges posed to the rule of law by new technologies. Cyber security, in particular, has become a top priority for us. Upholding international law in cyberspace is critical, as grave cyberattacks can result in massive civilian casualties. Developments in the cyber realm also require us to better align international criminal justice with 21st century realities. Currently we rely mostly on analogy to regulate cyber behavior. There is however a need to concretely identify specific international law addressing current and emerging threats emanating from cyberspace and to propose sensible interpretations that will update the law for the coming age in order to ensure its relevance in cyberspace. We need to urgently develop a framework to harmonize international law in this area, including the expansion of the fight against impunity to the cyber domain. In that regard, understanding the extent to which the Rome Statute and other international legal frameworks apply to cyber operations is imperative.

I thank you.