



**Statement by H.E. Archbishop Gabriele Caccia  
Apostolic Nuncio and Permanent Observer of the Holy See  
UNGA 78 – Sixth Committee  
Agenda item 83: The Rule of Law  
at the national and international levels  
New York, 19 October 2023**

Mr. Chair,

Any just society must be based on the principle of the Rule of Law, in which the law and not the arbitrary will of individuals is sovereign<sup>1</sup>. No individual or group, regardless of status, should claim the authority to violate the dignity and rights of others or of their communities. The Rule of Law inherently encompasses the idea of restraining the exercise of power. This requires adherence to the principles of equality before the law, accountability, equitable application of the law, separation of powers, participation in decision-making, legal certainty, due process, the prevention of arbitrariness, as well as transparency in both procedural and legal matters. The Holy See has consistently promoted the Rule of Law as an essential foundation for justice, peace, and human solidarity.

The mission of the United Nations according to its founding Charter can therefore “be seen as the development and promotion of the Rule of Law, based on the realization that justice is an essential condition for achieving the ideal of universal fraternity”<sup>2</sup>. Indeed, justice is indispensable to the achievement of universal fraternity and to the construction of a world in which conflicts are resolved peacefully and where the law of the more powerful does not prevail. To ensure the Rule of Law at the international level, it is necessary to make constant recourse to negotiation, mediation, and arbitration, as required by the Charter, which constitutes a fundamental juridical norm<sup>3</sup>.

At present, the Rule of Law is facing new challenges across the globe. At the international level, we are witnessing new armed conflicts, that defy the fundamental principles upon which the international order is built. Whereas at the national level, we are witnessing an alarming increase in the number of violent transitions of power, in breach of the established constitutional order, as well as an escalation in the intensity and breadth, of civil conflicts. These events should not weaken our commitment to the Rule of Law. As Pope Francis has noted “the Rule of Law stands at the service of the human person and aims to

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<sup>1</sup> Cf. *Compendium of the Social Doctrine of the Church*, 408.

<sup>2</sup> Pope Francis, Address to the General Assembly of the United Nations Organization, New York, Friday, 25 September 2015.

<sup>3</sup> Cf. Pope Francis, Encyclical Letter, *Fratelli Tutti*, 3 October 2020, 267.

protect the dignity of each”<sup>4</sup>. Therefore, there can be no exceptions to the Rule of Law, even in times of emergency.

Mr. Chair,

My delegation takes note of the Secretary-General’s “New Vision for the Rule of Law” and expresses its sincere hope that, in promoting such a vision, the true essence of the Rule of Law, which encompasses fundamental values and principles indispensable for social harmony, will be diligently upheld. In particular, we must reject the “cultural fashion that levels everything out, makes everything equal, proves intolerant of differences and concentrates on the present moment, on the needs and rights of individuals, while frequently neglecting their duties with regard to the most weak and vulnerable of our brothers and sisters: the poor, migrants, the elderly, the sick, the unborn”<sup>5</sup>.

Mr. Chair,

In an era of rapid technological advancement, we should make the most of technology's potential to improve access to justice for all. Science and technology are positive in themselves. By leveraging technology, we can build more accountable institutions and bridge the gap between the Rule of Law and those who may have been excluded from its benefits. At the same time, digital tools must be employed ethically to foster transparency, accountability, and efficiency within the justice system, while upholding the dignity of every human being. As noted by the Secretary-General, if not used properly, digital technologies can cause harm, exacerbate inequalities, disproportionately affect women, and foster discrimination both online and offline<sup>6</sup>.

Considering the myriad of challenges to the Rule of Law, my delegation shares the conclusion of the Secretary-General that “upholding the Rule of Law is essential to addressing the complex crises of our time and to building peaceful societies with equal opportunities and with full respect for the rights and freedoms of all”<sup>7</sup>.

Thank you, Mr. Chair.

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<sup>4</sup> Pope Francis, Address to a Delegation of Lawyers from Council of Europe Member Countries, Signatories of the Vienna Declaration, 21 August 2023.

<sup>5</sup> Pope Francis, Meeting with Civil Authorities, Representatives of Indigenous Peoples and Members of the Diplomatic Corps, "Citadelle de Québec", Canada, 27 July 2022.

<sup>6</sup> Cf. Report of the Secretary-General on Strengthening and coordinating United Nations rule of law activities, A/78/184 § 10.

<sup>7</sup> *Ibidem* §116.