



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

UN at 75

Effective Multilateralism and International Law

Online Conference

Statement

by

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Under-Secretary-General for Legal Affairs and
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8:20 a.m., 9 October 2020

Sehr verehrter Herr Bundesminister Maas,

Lieber Herr Dr. Eick,

Distinguished Moderators and Panelists,

Ladies and Gentlemen,

On 21 September 2020, the Heads of State and Government representing the peoples of the world gathered virtually at the high-level meeting of the General Assembly to commemorate the 75th anniversary of the United Nations and adopted a declaration.

In operative paragraph 10 of this declaration, the Heads of State and Government of the Members of the United Nations resolve that they will, and I quote, “abide by international law and ensure justice”.



At a time where regrettably it has become somehow fashionable to attest and deplore the “demise of international law”, this is exactly the statement that I was hoping for. And it perfectly sets the scene for this Conference.

I am grateful to the Foreign Office of the Federal Republic of Germany and to Federal Minister Heiko Maas for partnering with my Office, the Office of Legal Affairs of the United Nations Secretariat, to organize a Conference to take stock of what the United Nations has achieved over the 75 years of its existence in the field of international law.

I am very pleased that, together, we have managed to assemble the finest judges, practitioners and academics of contemporary international law, truly extraordinary women and men representing the principal legal systems of the world, to share with us their experience and insights across three panels.

We will be looking at the contribution to international law and multilateralism of key United Nations entities such as the General Assembly, the Sixth Committee and the International Law Commission, as well as the contribution from international courts and academia. And we will also have a panel on how international law underpinned and shaped international relations over the course of the past 75 years.

In my brief welcoming remarks, I wish to give you a glimpse into my own thinking about our topic today.

I believe that for the last 75 years, the United Nations has been placed at the centre of international law making. The Organization can be considered both as a place where international law is discussed, made and interpreted by its Member States and as a proper actor, with its own international legal personality, voice and practice, engaged in the creation and implementation of international law.





Over this period, the United Nations has been placed in a privileged position to provide unique contributions to the development, codification and implementation of international law in branches ranging from the law of treaties to the legal principles governing the protection and preservation of the marine environment, as well as in the criminal accountability for graves violations of international humanitarian law.

On its 75th anniversary, the Organization has demonstrated time and again its flexibility and adaptability to the changing priorities and concerns of the international community, and facilitated the commitment of its Member States to multilateralism and the principles enshrined in the Charter signed on 26 June 1945 in San Francisco.

For the past 75 years, the UN has demonstrated its unique role both as a place where international law is developed and as an actor directly participating in the creation and interpretation of international law.

The countless examples for this are a tribute to the capacity of the Organization to adapt to changing times and priorities, but also to the commitment of its Member States to multilateralism, including in critical fields that nowadays form the foundational infrastructure of international relations.

Even amidst the unprecedented circumstances we are confronting today, multilateralism appears as the way forward to ensure a transformative recovery from COVID- 19, one that addresses the crisis, reduces future risks and faces the challenges posed by fragmentation and polarization.

Indeed, the outlook for the next 25 years of international law-making at the UN looks brighter than it may at first appear.





The Charter established the United Nations as the main international forum dedicated, inter alia, to ‘achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character’. These problems, at the global level, continue to abound – but so do the efforts to face them together, as reflected recently in the launching a Decade of Action for the Sustainable Development Goals.

International law will be an essential tool to address what may be two of the most crucial issues of the next 25 years: our relationship with the planet we inhabit and our relatively new abilities to interact with one another in cyberspace.

In relation to the environment, the UN is now raising awareness and supporting member states in preparing the relevant legal framework to fight climate change and its direct causes and consequences – deforestation, the degradation of the atmosphere, impacts on the oceans, and sea level rise. This is considered an absolute priority by the Secretary-General and United Nations key entities, including the International Law Commission.

In relation to the oceans more generally, the ongoing Intergovernmental Conference on an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction has addressed the connection between the conservation and sustainable use of biodiversity and climate change.

Depending on the outcome of these negotiations, it is possible that climate change, ocean acidification and related impacts will be referred to in the text as stressors and as part of cumulative impacts on biodiversity; it is also possible that reference will be made to approaches that build ecosystem resilience to the adverse effects of climate change and ocean acidification and restore ecosystem integrity.

In relation to cyber-security, similarly, the question of how to apply existing international legal frameworks, such as international humanitarian law, the law on





the use of force, and international criminal law, will pave the way for the development of new rules and international standards in this area.

Without a doubt, many more problems will arise in the coming 25 years, several of which we cannot even fathom at present.

Throughout the history of relations between peoples, multilateralism has had its expansive and contracting phases, which are cyclical in nature. The world is in the midst of the worst pandemic in a century: the urgency of international cooperation could not be more aptly illustrated or brought to the fore.

It is in such times of emergency and apparent chaos that we have usually learnt to come together as humankind.

Thank you for participating, thank you for joining and I look forward to our panels.

