



HIGH LEVEL MEETING ON THE RULE OF LAW
AT THE NATIONAL AND INTERNATIONAL LEVELS

**STATEMENT BY THE DIRECTOR-GENERAL OF THE
INTERNATIONAL DEVELOPMENT LAW ORGANIZATION,
IRENE KHAN**

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Statement by the Director-General of the International Development Law Organization (IDLO), at the High Level Meeting on the Rule of Law at the National and International Level

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Mr. President,

Excellencies,

Distinguished delegates,

Ladies and gentlemen,

As the Executive Head of the International Development Law Organization - the only inter-governmental organization exclusively devoted to advancing the rule of law - I am deeply honored by the opportunity to address this High-Level Meeting.

I am also grateful for the chance given to IDLO to contribute to the substantive preparations and the Meeting's outcome.

We believe the Declaration opens a path for further reflection and action by the international community on the centrality of the rule of law in addressing the many complex political, social, economic and environmental challenges of our times.

The renewed commitment to the rule of law that the adoption of the Declaration and this gathering of Heads of State and Government represent are both significant and timely.

There is a global crisis of the rule of law. Across the world, people are demanding greater participation in political processes, accountability, and respect for human rights and human dignity. There is a dangerous deficit of public trust in institutions and a deep disconnect between the formal mechanisms of the rule of law and people's lived experience of justice and equity. Restoring people's confidence in justice systems is an enormous challenge confronting national governments and the international community today.

In countries emerging from conflict, insecurity, weak political processes, lack of legitimacy and capacity make it particularly difficult for the rule of law to

take root. Transforming institutions is a long term endeavor, while the international community's attention span tends to be short term. In order to show immediate, visible results, international assistance sometimes tends to put disproportionate focus on quick wins, which are unsustainable without addressing the fundamental weaknesses in the state's institutional capacity or broader socio-economic problems.

Many developing countries, including emerging economies, appreciate the need to build effective legal systems responsive to citizens' aspirations in order to be competitive in the global market. However, change is hard because of resource constraints, lack of capacity and vested interests.

There is a growing demand for rule of law assistance from a wide range of countries across the spectrum, including middle-income countries, for constitutional and legal reform and judicial capacity building to support trade, investment and sustainable development. But the level of aid is nowhere near the level of demand. If the goals embodied in the Declaration are to be seriously advanced, then international assistance for rule of law programming must be significantly expanded.

Institutions of law and justice must be made to work for people. In fully supporting national ownership, IDLO would like to underline the importance of engaging civil society and empowering local communities. The focus must be on the "end users" of justice.

IDLO's experience shows that the best results come when legal and institutional reforms are tailored to meet local needs, based on locally defined parameters and, at the same time, firmly anchored in international standards and values.

The values and norms of the rule of law are universal and must be universally respected, but they can vary in their application. Fairness, impartiality, transparency, integrity and accountability are interpreted in different ways by different legal cultures and acknowledging the plurality of legal systems - as indeed the Declaration does - is key to local ownership.

IDLO appreciates the Declaration's recognition of informal justice systems. They are often the only means by which many women and poor and marginalized communities can access justice. Therefore, reform initiatives need to focus on informal as well as formal legal systems. They must tackle the inequitable practices inherent in informal systems but they must do so in ways that do not undermine local ownership.

IDLO also welcomes the emphasis the Declaration places on gender equality and women's access to justice. Millions of women are denied the most basic principle of the rule of law - that everyone has equal protection before the law. Gender discrimination is widespread. Gender-based violence remains the most prevalent and socially tolerated form of abuse. But legal reform alone will not produce justice for women. Policy initiatives - and even more importantly, political will - are needed to fight social discrimination and cultural prejudice and promote the economic and political empowerment of women. For our part, we have made a pledge to enhance the role of women in the justice sector and to support women to overcome the legal barriers they face in accessing justice and realizing their human rights.

Finally, as the post-2015 international agenda begins to take shape, IDLO believes the international community has a unique opportunity to strengthen sustainable development strategies through supporting rule of law frameworks and rights-based approaches. The Declaration provides the opening for it.

With development and law embedded side by side in our very name, we see the rule of law as an essential and enabling framework for equitable and inclusive societies in which every individual can lead a decent life free from fear and want.

The challenge to which we must all rise is to create a culture of justice.

It entails three inter-related components: well-functioning and responsive legal institutions based on well-recognized principles of rule of law; citizens who are empowered and aware of their rights; and a legal system that enables fair and sustainable development outcomes. These elements are inter-dependent and mutually reinforcing. Effective institutions are key in providing justice and upholding human rights. In turn, institutions function well when an empowered citizenry holds them to account, and neither rights nor institutions can be effective without sustainable economic and social development.

For our part, we pledge to work across all three components: we will support efforts to improve the quality and integrity of legal and judicial institutions; we will work to enable governments to uphold human rights and empower people to claim them; and we will facilitate innovative legal solutions to promote sustainable development and economic opportunity.

We look forward to exploring innovative and diverse partnerships with the UN system and other stakeholders, with a clear sense of the comparative advantage that each carries.

We pledge to bring our advocacy and our convening capacity to support the UN in following up the Declaration and building consensus on the intrinsic and instrumental value of the rule of law at national and international levels.

Thank you, Mr. President