



PERMANENT MISSION OF
JAMAICA TO THE UNITED NATIONS

STATEMENT BY

**SENATOR THE HONOURABLE ARNOLD J. NICHOLSON, QC
MINISTER OF FOREIGN AFFAIRS AND
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AT THE

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

**DURING THE 67TH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY**

ON

MONDAY, 24TH SEPTEMBER 2012

NEW YORK

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Mr. President,

The Government of Jamaica welcomes this initiative of the UN in convening this high level meeting on the rule of law, given the acknowledged importance of the subject at both the national and international levels. History has shown that, being faithful to the primacy of the rule of law is a *sine qua non* for proper democratic practices in the search for the just and peaceful society, and, by extension, geo-political stability.

Mr. President,

The Jamaican Constitution came into effect 50 years ago on the occasion of our independence. It is the highest law in Jamaica and it is the very foundation on which our value systems and ideals are built. The Constitution treats with a number of time-honoured democratic fundamentals such as citizenship, basic human rights and freedoms, and the three branches of government, namely, the Executive, the Legislature and the Judiciary. Full adherence to, and the effective protection of, the rights enshrined in these provisions are crucial to upholding the rule of law at the national level.

In recognition of this, we have amended Chapter III of our Constitution which contained provisions on fundamental rights and freedoms and replaced it with a more comprehensive *Charter of Fundamental Rights and Freedoms*. The Charter, which came into effect in April 2011, now provides for a more modern approach to certain fundamental freedoms, as well as to established civil and political rights.

Mr. President,

We remain mindful that the rule of law is not restricted to the national level. The foundation principles of justice, fairness, accountability and transparency are inextricably linked to its effective enforcement at the international level. To this end, the Charter of the United Nations represents a body of principles which we all solemnly pledged to uphold upon becoming a part of this body.

Those principles speak to the sovereign equality of all its members and the development of friendly relations among nations, based on the respect for the principle of equal rights. They beckon us to refrain from the use or threat of force, and to settle disputes by peaceful means; to promote and encourage respect for human rights and for fundamental freedoms; and, to achieve international cooperation in facing international challenges of an economic, social, cultural or humanitarian nature.

The Government of Jamaica is of the view that a strengthened General Assembly and the continued reform of the Security Council will contribute in a more positive manner to the advancement of the rule of law at the international level. In this regard, we are

convinced that a more representative, efficient, accessible and transparent Security Council will further enhance both its effectiveness and its legitimacy.

Mr. President,

In my own country, we face the ever strengthening challenge of armed violence that is linked to the illicit trade in small arms and light weapons and to the illegal drug trade. The threat posed by organized crime not only attacks the sovereignty of the state but constrains our capacity to protect civilians. This therefore has immediate implications for our ability to uphold the rule of law.

International cooperation and assistance, then, is crucial in allowing countries to meet their own national objectives that are inherent in upholding the rule of law. These include implementation of the Millennium Development Goals and the need for enhanced cooperation with our bilateral partners, given that conquering those challenges requires a coordinated and multifaceted approach. We must also maintain our commitment to peacekeeping and peace-building in order to cement the rule of law in countries emerging from conflicts.

For our part, there is need for technical assistance and capacity-building support in the areas of strengthening of the judiciary and the legal system, in particular, the criminal justice system and legislative drafting. We would therefore wish to express our profound gratitude to our bilateral partners and to organizations such as the Commonwealth, which have provided technical assistance in several areas that touch and concern adherence to the rule of law.

The complexity in nature and increase of highly sophisticated illegal activities, such as cybercrime, have underscored the importance of compliance with international obligations, including those related to terrorism, narco-trafficking and organized criminal enterprise. In addition to this, however, there is need for the requisite technical assistance to tackle these and other new challenges, such as those related to financial crimes.

Mr. President,

In closing, we urge the UN to continue to sustain its engagement on these issues in an inclusive and transparent manner. We pledge our commitment to upholding the rule of law at the national level and to working with our partners at the bilateral, regional and international levels in what, inevitably, must be a global endeavour.

Thank you.