



UN NEWS CENTRE

With breaking stories and
newswire products from



UN moves ahead with efforts to reinforce rule of law worldwide



Deputy Secretary-General Jan Eliasson addresses the General Assembly's Sixth Committee. UN Photo/Rick Bajornas

10 October 2012 – With its many years of experience and its entrenched neutrality, the United Nations is ideally placed to help countries establish the rule of law, a vital factor in post-conflict reconstruction, overall development and enforcing fundamental rights, a top UN official said today.

“Newly-constituted governments are looking to the United Nations for advice and assistance in constitution-making processes, reforming justice and security institutions and dealing with legacies of atrocities,” Deputy Secretary-General Jan Eliasson [told](#) the General Assembly committee that deals with international legal matters, also known as the Sixth Committee.

“The United Nations has a comparative advantage in providing this assistance,” Mr. Eliasson stressed, noting that it is currently helping 150 Member States on various aspects of the rule of law. “We have a broad range of experience dating back many years. The UN brings neutrality and the weight of the international community to the work. We are also using our convening power to advance the issues and the debate.”

The committee is following up on the Assembly’s High-Level Meeting on the Rule of Law that was held last month, when world leaders stressed the universality of humanitarian law and the importance of the system of international courts in enforcing fundamental human rights.

Mr. Eliasson highlighted the crucial role played by the network of international tribunals such as the Hague-based International Court of Justice ([ICJ](#)), the principal UN judicial organ set up in 1945 to settle legal disputes submitted by States, and the more recent Hague-based International Criminal Court ([ICC](#)), an independent international body that is not part of the UN and tries those accused of genocide, crimes against humanity and war crimes.

Other UN-backed country-specific international courts deal or have dealt with such crimes committed in the former Yugoslavia, Rwanda, Sierra Leone and Cambodia. Mr. Eliasson reiterated the call [Secretary-General](#) Ban Ki-moon made at last month’s meeting for all States to accept the jurisdiction of the (ICJ).

“The International Court of Justice plays a particularly important role,” he said. “It is the only judicial forum to which Member States can bring virtually any legal dispute concerning international law. No other forum’s jurisdiction is as far-reaching. Yet the court is only competent to hear a case if the States concerned have accepted its jurisdiction.”

Only 67 of the UN’s 193 Member States, or 34 per cent, including only one permanent member of the Security Council, currently accept the ICJ’s compulsory jurisdiction. That compares with 59 per cent in 1948, when 34 of the then 58 UN Member States, including four of the five permanent members of the Security Council, recognized its jurisdiction.

Mr. Eliasson highlighted the crucial role played by the UN-backed international criminal tribunals, noting that the Special Court for Sierra Leone (SCSL) last year sentenced former Liberian President Charles Taylor to 50 years in prison for planning and abetting crimes committed by Sierra Leonean rebel forces during that country’s civil war, finding him guilty of acts of terrorism, murder, rape, sexual slavery and enlisting child soldiers.

Meanwhile, the ICC earlier this year found Congolese warlord Thomas Lubanga Dyilo guilty of conscripting child soldiers under the age of 15 into his militia in the Democratic Republic of the Congo (DRC) and jailed him for 14 years.

Looking forward, Mr. Eliasson called for strengthening the linkages between the rule of law and all three pillars of the UN's mission – peace and security; development; and human rights. This includes strengthening peace and security in post-conflict countries; establishing the necessary framework for commerce and international trade, including the sanctity of contracts and labour safeguards; and the need for governments to ratify international rights treaties and promulgate national laws that uphold these obligations.

News Tracker: past stories on this issue

[At UN summit, world leaders highlight key role of rule of law in preventing war](#)