Statement by Ambassador Munir Akram, Permanent Representative of Pakistan at the Security Council’s Open Meeting on “Justice and Rule of Law” (6 October 2004)

Mr. President,

I would like to welcome you to the Security Council to preside over this important meeting which has been organized by the United Kingdom presidency.

2. I would also like to thank the Secretary General for his clear statement today and his report on ‘The rule of law and transitional justice in conflict and post-conflict societies’.

Mr. President,

3. The need for justice and the rule of law is self-evident particularly in conflict societies. The principles are critical to the realization of social and economic justice, and for the implementation of political, economic, cultural, religious and environmental rights. These are an essential means for the realization of human aspirations for peace, equality and justice.

4. Let me make a few comments on this subject:

Firstly, each conflict situation is unique and has its own dynamics. We agree with the Secretary General that pre-packaged solutions are ill-advised and we must eschew one-size-fits-all formulas.

Two: We support the recommendation that justice and rule of law needs should be integrated into any international or UN involvement in post-conflict societies.

Three: We recognize the importance of building national capacities and independent national institutions.

Four: We support promoting good governance, national institution building, particularly national judicial capacity building.

Five: Use can be made of indigenous and informal traditions for administration of justice and settlement of disputes – if these are consistent with international norms.

Six: We fully support the need for ending impunity for crimes against humanity.

Seven: Justice, peace and democracy are not mutually exclusive objectives, but rather mutually reinforcing imperatives and should be simultaneously promoted.
Eight: Reconstruction and economic revival, employment creation also create a wider stake in the preservation of the rule of law.

Nine: The need for ending impunity for financial crimes is also important. The international community should strengthen and improve cooperative mechanisms to ensure that looted money, or other assets acquired through corruption and other unlawful means are returned to their countries of origin.

Mr. President,

5. Justice and rule of law are vital for the establishment and maintenance of order, peace and stability both at the intra-State and the inter-State levels. The international community today could also be regarded as a “conflict society”. Thus, national rule of law strategies must be complimented by the international rule of law. Our Secretary-General made a powerful statement in opening the Assembly’s General Debate this year.

I would like to quote three sentences from his statement:

i. He said that ‘rules of law is at risk around the world’;

ii. He added, ‘every nation that proclaims the rule of law at home must respect it abroad; and every nation that insists on it abroad must enforce it at home’;

iii. He also added, ‘those who seek to bestow legitimacy must themselves embody it; and those who invoke international law must themselves submit to it’.

Mr. President,

6. The UN must build its capacity to uphold the Rule of Law, both at the national and even more importantly at the international level. The international judicial systems should be strengthened to promote adherence to the principles of the UN Charter and international law. The international judicial bodies which have been so far established are we believe a good start. But we shall seek to promote and further these in the context of the measures being considered to create a UN system responsive to the realities of the 21st Century.

I thank you, Mr. President.