

Statement on the Sixth Committee agenda item

The rule of law at national and international levels

17 October 2006

Mr. Chairman,

The quest for defining and implementing justice and the rule of law has been central to the march of civilization as the rule of law has always remained critical in the realization of social and economic justice and international peace and stability.

The rule of law plays pivotal role in the **post conflict** divided societies. The principles of the rule of law are critical to the realization of social and economic justice, and for the implementation of political, economic, cultural, religious and environmental rights. Since long, the United Nations has been deploying peacekeeping troops in post conflict situations. These troops have played exemplary role all over the World. Their conduct and achievements are, rightly, a source of satisfaction for their parent countries, including Pakistan.

Each conflict situation is unique and has its own dynamics. However, justice and rule of law needs should be integrated into any international or the UN involvement in post-conflict societies. These societies should be helped to stand on their own footing by national institution building, particularly, national judicial capacity building. Good use of indigenous and informal traditions for administration of justice and settlement of disputes may be made, if these are consistent with international norms.

Reconstruction and **economic revival** and employment creation also creates a wider stake in the preservation of the rule of law, especially, in the post conflict societies.

Mr. Chairman,

Pakistan fully subscribe to the wisdom that culture of **impunity** should never prevail. Those responsible for the atrocities must be brought to justice. We fully support the mandate and work of the International Criminal Tribunals for Rwanda and former Yugoslavia. These tribunals are playing an important role. They have shown that, within their scope, no one is above or

beyond the reach of international law. We stress that impunity for serious crimes against humanity, including genocide, must come to an end. Responsibility for such violations must go up in the chain of command and concerted efforts may be made to arrest the fugitives and to bring them to justice.

We also support the need to end impunity for financial crimes. 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. Chairman,

Establishing the principles of justice and the rule of law is essential for the establishment and maintenance of order at the **inter-state and intra-state level**, as the national and international rule of law are complementary to each other. The national rule of law strategies must be complimented by the international rule of law strategies. The inconsistency in the application of rule of law at these two levels must be eliminated.

The resolutions and decisions of the Security Council must also be implemented uniformly and without discrimination, and also with equal force irrespective of their falling within Chapter VI or Chapter VII. Selective implementation creates an unjust environment, deepening conflicts and compounding the suffering of the people. It erodes confidence in the system and undermines the UN's credibility.

Mr. Chairman,

International judicial system, based on the international judicial institutions must be strengthened to promote adherence to the principles of the UN Charter and international law. Use of international judicial institutions must be made to promote pacific settlement of disputes. In this regard the Security Council should make best possible use of the International Court of Justice in the light of the United Nations Charter.

Situations posing a threat to international peace and security must be dealt with by the United Nations, especially by the Security Council, in line with the principles enshrined in the UN Charter. In particular, the use of force should be consistent with the Charter's principles relating to collective security.

We also support the Danish proposal regarding promotion of the rule of law, envisaged in the UN document S/2006/367, aimed at enhancing the efficiency and credibility of the United Nations sanctions regimes. In the past decade the Security Council has increasingly used sanctions as a tool in conflict management and to promote compliance with the international law. However, these sanctions regimes have raised fundamental legal questions related to listing and de-listing procedures of the sanctions committees. These issues need to be addressed at priority.

The commitment we make to strengthen and advance the international rule of law will be a lasting legacy for future generations. Today's discussion advances our dialogue on this essential need of the humanity. We have no doubt that the General Assembly would continue to follow this subject with the commitment and seriousness that it deserves.

Permanent Mission of Pakistan to the United Nations

New York

Subject: **Draft Statement on the Sixth Committee Agenda item**

The rule of law at national and international levels

A draft statement on the Sixth Committee agenda item “the rule of law at national and international levels” is placed below for approval please.

2. Earlier, it was decided that the Permanent Representative would deliver this statement. Now, in the light of the programme for the visiting Members of Parliament (MP) and consultations with the DPR, it is being proposed that a visiting MP may deliver this statement, if approved by the PR.

(M. Rafiuddin Shah)

First Secretary (III)

Permanent Representative