



**STATEMENT**

**BY**

**MEMBER**

**LEGATION OF SOUTH AFRICA TO THE UNITED NATIONS,**

**IN THE SIXTY-SEVENTH**

**ASSEMBLY**

**GENERAL DEBATE**

**"RULE OF LAW AT THE  
INTERNATIONAL LEVEL"**

United Nations  
New York  
9 October 2013

Mr Chairman

Once again, thank you for affording us the floor. I will associate myself with the statement delivered by the representative of the Islamic Republic of Iran speaking on behalf of the Non-Aligned Movement. My delegation attaches great importance to this item, the rule of law at the national and international levels, as requested by the General Assembly, our committee and the Commission. As this year's theme "The rule of law and the peaceful settlement of international disputes".

Mr Chairman

My delegation believes that the rule of law like the judicial system are the essential pillars of a legal system. The rule of law has three basic tenets: everyone is subject to the ordinary law, all courts are of equal rank, and there are no separate courts for certain people or different groups nor separate courts for certain people.

Mr Chairman

For judicial settlements to be effective, all states must provide legal aid to the poor and vulnerable. As a sponsor of the United Nations Principles and Guidelines on Access to Legal Aid, which the sixty-seventh session of the United Nations General Assembly adopted in 2002, South Africa has been a leading proponent of the concept of legal aid for indigent accused persons. The right to legal aid is a key component of the right to access to justice and the right to a fair trial. It is the rights of society's most vulnerable members, by safeguarding against pretrial detention, torture, coerced confessions and other abuses. We hope States will join us in working towards better implementation of the right to legal aid, and we hope that we may meet at the next international conference on this provision in my country.

Mr Chairman

Allow me to say South Africa believes that the rule of law is a key element of any strategy to reach a just and peaceful settlement because of this belief that South Africa is actively strengthening complementarity together with the International Criminal Court.

Denmark, to highlighting positive accountability in the fight against impunity is similarly important and promotion of the rule of law. We are committed to doing what we can, within our limited resources, to ensure that national systems are able to carry out investigating and prosecutions for serious crimes.

Mr Chairman

While exerting efforts to promote accountability, including the promotion of accountability mechanisms, equal attention must be paid to the rule of law at the international level. South Africa also continues to promote the rule of law, peace and harmony. We promote the rule of law in a number of ways, including through bilateral and trilateral agreements, as well as through mediation efforts in various parts of the world.

Mr Chairman

As indicated by this delegation on previous occasions, auto-interpretation and its effects at the international level remains a challenge. Given the lack of compulsory system of obligations, such as in domestic law, the problems caused by auto-interpretation would be remedied, or at least greatly reduced, by regular recourse to international mechanisms for the resolution of disputes, most notably the International Court of Justice. Other specialized mechanisms, such as the International Tribunal for the Law of the Sea, would also go a long way towards alleviating some of the problems of auto-interpretation. Strengthening mechanisms for the resolution of disputes is therefore important.

In conclusion, Mr Chairman

My delegation will continue to contribute to the advancement of the rule of law, together with and implementing international law, where necessary, relying on the mechanisms for the resolution of disputes, and in the view that the rule of law will continue to guide the Security Council with the primary responsibility for the maintenance of international peace and security is representative, it is for this reason that South Africa remains part of the progressive

that are representative

I thank