

Unofficial translation
Check against delivery

STATEMENT
by Representative of the Russian Federation
in the Sixth Committee of the 69th Session of the General Assembly!
on Agenda Item on the Rule of Law at the National and International Levels

9 October 2014

Mr. Chairman,

During the current meeting the delegations have a difficult task before them. The discussion of the extremely detailed report on the ways and means of further strengthening the relationship between the rule of law and the three main “pillars” of UN has been transferred from the 68th to the current session of the Assembly. Also we have before us the annual Report of the Secretary-General on Strengthening and Coordinating United Nations Rule of Law Activities.

The topic chosen by the VI Committee on the national practices in strengthening rule of law through access to justice deserves attention as well. But the aforementioned transfer of the report unfortunately shifts the accents.

In general we would like to underline the extreme importance of the principle of access to justice as one of the key legal guarantees. It is a principle of universal value reflected in many multilateral and regional instruments starting with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. We fully support the continued proliferation of this principle.

We have an impression, however, that the conceptual basis of the Report resulted not from transparent discussions between the Member States but rather from a series of articles prepared in the course of the so-called "consultative process" involving experts and academia.

We are grateful to the UN Rule of Law Unit for organization in May 2014 of a special thematic briefing on the draft report in preparation. However, this event turned to be a formality to a large extent. The States were proposed not to take part in the drafting of the report but rather to merely discuss a conceptually complete document

especially while there is no common understanding what is the "rule of law" and what specifically can be its "weakness".

Mr. Chairman,

As we have repeatedly pointed out, the problem lies not with the concept of the rule of law as such. Russia has always advocated and will continue to advocate strengthening of international and national law-based order. But at the same time it is crucial to preserve the core of this concept, which is based on the importance of adherence to international obligations with full respect to the principles of sovereignty and equality of States.

Currently, we see the attempts through the "rule of law indicators" and "measurement of adherence" to basically fit all countries in their diversity into some "universal" template. The choice of the model of the state organization and governance and the structure of state institutions lies within the domain of internal affairs of States. Besides, Article 2.7 of the Charter provides that the United Nations is not authorized at all to deal with such matters.

In response to paragraph 97 we would like to emphasize that we continue to consider the Sixth Committee as the most suitable forum for the issue of the rule of law. This format of work allows us to avoid unnecessary politicization and to focus on the issues of law as such.

As to the proposals to include the so-called "key stakeholders" and

reflect therein the idea of non-applicability of a “one-size-fits-all” approach to the national “dimension” of the rule of law, as well as to accentuate that the states have a prerogative to build effective model of the rule of law which fully corresponds to their legal, political, historical, cultural and other specificities.

In conclusion, let me underline once more that Russia follows the topic of the rule of law with attention and is ready to cooperate with all interested actors in promoting adherence thereto on the international and national level.

Thank you Mr. Chairman.