

## STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

THE SIXTH COMMITTEE OF THE 74TH SESSION OF THE UN GENERAL ASSEMBLY  
AGENDA ITEM 83: THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

Trusteeship Council

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*Delivered by Djordje Djordjević, Deputy Permanent Observer, IDLO*

Thank you, Mr. President,

Let me begin by saying how much IDLO appreciates the annual opportunity provided by this agenda item to share with the General Assembly, through this Committee, highlights of our work and our collaboration with the United Nations. We regard this opportunity as a privilege but also an integral part of the responsibilities devolving on us from the observer status that this Committee has granted IDLO.

### *IDLO and the UN*

IDLO pursues its mandate – exclusively dedicated to promoting the rule of law and its contribution to sustainable development outcomes – within the overall policy framework set by the General Assembly, and most recently re-iterated in Resolution 73/207. In line with the theme selected for your rule of law debate this year, we systematically endeavor throughout our work to promote sharing of ideas and best practices among our members and our programme countries and at global fora that we convened to explore different aspect of the contribution of the law to sustain peace and development. We also make a deliberate effort to ensure that our work on policy and advocacy promotes implementation of international norms and standards.

The emphasis that Resolution 73/207, as well as previous resolutions, place on supporting countries in the domestic implementation of their international obligations in accordance with the principles of the Charter of the United Nations; and the repeated stress they place on national ownership of rule of law activities geared to enhance the capacity of national institutions; on sharing access to justice solutions which deliver concrete justice outcomes particularly to the most disenfranchised segments of population and those left behind; on the protection of women’s rights and empowerment of women – all of these are essential parts of the DNA of IDLO’s rule of law work. In relation to all of them, we are continuing to make concrete advances and to report on progress to the satisfaction of our governance bodies.

Many of our operational activities, undertaken at countries’ request, focus on putting relevant normative frameworks into practice. IDLO capacity development work contributes to the implementation of international norms and standards in a variety of different contexts. The forms of assistance range from identifying and applying successful strategies for the fulfilment of women’s rights, and at capacity development to promote adherence to international norms in customary and informal justice practices, to support for criminal accountability for serious violations of international law, and

review of domestic regulatory frameworks for non-communicable diseases against the background of international standards.

### *IDLO and the Acceleration Action for Sustainable Development Goals*

As previously emphasized in this forum, 2030 Agenda, and its recognition of the rule of law and access to justice as integral parts of development and as vehicles for making socio-economic progress sustainable, have marked an important turning point in the evolution of our organization. We are drawing on this fundamental acknowledgment to further articulate the place of IDLO in the international development system, and to deepen and give new impetus to our relations with the United Nations and to the purposes that these relations are to serve.

In this respect, the year 2019 is a benchmark year, with two significant review processes: the first assessment of progress towards SDG 16 at HLPF in July and the first quadrennial review of the 2030 Agenda at the SDG Summit in September. In preparation for the SDG 16 HLPF review, UN DESA and IDLO co-organized with the Government of Italy a Conference entitled, “SDG 16 Implementation and the Path to Leaving No One Behind” in Rome in May 2019. The event gathered an international coalition of more than 300 government officials, judiciary, civil society, private sector and independent experts, from all the regions, who, in spite of recognizing a range of constraints, reiterated their commitment to join forces to support the achievement of the targets set by SDG 16.

In assessing the state of affairs in the last four years of implementation, there is broad recognition that peace, access to justice, inclusion, and strong institutions – the pillars of Goal 16 – are a critical link in the sustainable development chain and integral to the transformative change sought by the 2030 Agenda. Nevertheless, as noted in the UN Secretary-General’s report, we face a number of global trends that hinder efforts of governments and their partners, some of which disproportionately affect the respect for rule of law. In the present environment, we cannot be content with the ongoing trajectory and have to find adequate means to accelerate progress and scale up the reach of our interventions.

IDLO stands ready to redouble the efforts and to search for novel development solutions that can meet the challenges. We are responding to UN Secretary-General’s call for Acceleration Action with a commitment in four areas all geared to help narrow the justice gap by 2030:

Firstly, we will seek to enhance access to justice, especially for women, children and others most at risk of being left behind, so that they are empowered to claim their rights.

Secondly, we will help countries experiencing conflict or fragility to build peace and sustain development by reforming laws and strengthening the capacity and integrity of justice institutions.

Thirdly, we will engage with informal and customary systems as well as formal institutions to ensure fair, accessible, affordable pathways to justice, in keeping with local context, national ownership and international human rights standards.

Finally, we would convene with partners a global multi-stakeholder forum engaging the judiciary along with government and civil society representatives in an open, periodic dialogue for mutual learning and sharing of information and good practices.

This action would build on the experience and outcomes of the other pledges I have just highlighted. It would draw on IDLO's comparative advantage in convening multi-stakeholder consultations and the experience with the 2019 global Conference on SDG 16 in Rome. And it would be geared to complement and support other platforms and the international community's over-all effort to promote country-owned, multi-stakeholder dialogues to advance progress towards SDG 16 and to generate political and financial support at all levels. The resulting whole-of-society approaches and the new partnership modalities should help accelerate national implementation of SDG 16 and make a contribution towards achieving other Goals.

#### *IDLO policy, programmes, and advocacy*

IDLO engagement on research and policy development as well as in-country programmes encompass diverse development settings and different thematic areas. Much of the institution-building work focuses on strengthening criminal justice in conflict-affected countries to increase stability and prevent recurrence or escalation of violence. In northern Mali, for example, IDLO is engaging at the local level where institutional capacity is weak on strengthening the criminal justice chain. In partnership with UNODC. The programme will now expand to other countries in the Sahel region, initially Niger and Burkina Faso, to address cross-border crime - a key driver of violence and instability in the region - and support the peacebuilding work of MINUSMA and the G5 Sahel Force.

The programme in the Sahel builds on experiences gathered from other conflict-affected environments, from fighting money laundering and other complex crimes in Somalia, combating human trafficking in Liberia, and supporting criminal justice institutions in Afghanistan. Other dimensions of broad institution-building work include supporting constitutional and legal reforms in Kenya and Kyrgyzstan and as advancing institutional integrity and fighting corruption in Ukraine and the Philippines.

Rule of law assistance is also contributing to transformational changes in terms of identifying effective means for the eradication of poverty. In a number of countries, the lack of legal awareness to secure land titles and gain access to land perpetuates poverty, violence and discrimination, particularly against women and other marginalized community members. In Indonesia, for example, IDLO works with local authorities to enable villagers, and especially women, to overcome legal barriers and improve sharing of forest and peat land resources.

In support of research and policy development for women's empowerment, IDLO co-chaired with the World Bank and UN Women the High-Level Group (HLG) as a part of the Task Force on Justice, which released Justice for Women report earlier this year. The report highlights successful approaches to scaling up women's access to justice and makes a strong case for more significant investment in this area. Our contribution to this initiative draws on IDLO's extensive country-level experience in pursuing gender

programmes, most notably in Afghanistan, Liberia and Mongolia, which all involve the whole of the justice chain in the eradication of sexual and gender-based violence (SGBV). Other significant programme streams, which aim at the economic empowerment of women, have more recently been rolled out in Burundi, Jordan, Tanzania and Uganda.

According to estimates, the majority of justice seekers in conflict-affected countries rely on customary and informal justice systems, while these mechanisms remain largely overlooked by development actors. Following a long-term effort to identify adequate forms of engagement, IDLO has issued this year a policy brief and a guide for sharing lessons learned among practitioners. At the country level, for example, we are assisting the Somali government in using informal justice mechanisms for improving the quality of access to justice for a broad segment of population that does not have access to state-run justice institutions. The objective is to enhance the compliance of Somalia's traditional dispute resolution mechanism, Xeer to the Provisional Constitution and international human rights standards.

Recognizing the crucial role of civil society in bringing about public trust in institutions, IDLO partners on confidence-building measures with a broad spectrum of civil society organizations in a number of countries, including Ukraine, Uganda and Indonesia. In order to promote participation in the public affairs, we also facilitate multi-stakeholder dialogue and participatory processes for policymaking, including in Honduras, Myanmar and Mali.

#### *Geographical reach and diversification*

I should add that our programme portfolio is increasingly diversified not only thematically but also geographically. While our work in middle-income countries has expanded, the bulk of the assistance continued to be in fragile and conflict-affected contexts where the demand for stronger institutions and justice remains high.

Since 2018, Africa became the largest and fastest-growing region of IDLO's operations, which now amounts to over a third of our operations, overtaking Asia. IDLO's work in Asia is becoming more balanced with additional programmes in the ASEAN region that complement our established presence in Afghanistan. In response to regional trends that undermine citizen security in parts of Latin America, we expanded our presence significantly in the region, with support for law enforcement at national and municipal level in Mexico and preventing violence and criminal recidivism through access to justice in Honduras. Leveraging the partnership with the European Bank for Reconstruction and Development (EBRD) and the Kuwait Fund (KFAED), IDLO expanded the footprint in Eastern Europe and Central Asia as well as the Middle East and North Africa. Our membership has also grown this year, welcoming Liberia, Qatar and Uganda as new Member Parties.

#### *Conclusion*

Before concluding, let me take the opportunity to express IDLO's appreciation to Italy as well as Sweden, The Netherlands, and the United States, for the generous financial support they are continuing to extend to the organization. I should also like to thank the European Commission for the significant contribution it has pledged for our Investment

Support Program for the Least Developed Countries (ISP/LDCs) – a partnership that we trust will be expanded in the future to other areas of IDLO's engagement. I would like to thank all Member States, that have been reiterating in this debate the priority they attach to advancing the rule of law, and are engaging with us in the common effort to leverage the rule of law to build peace and accelerate sustainable development.

Thank you.

*The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.*