

Meeting of the IDLO Assembly of Parties

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Transcribed as delivered

Thank you very much Madam Director-General, and of course it will be a pleasure when we are discussing about this part of the panel to actually discuss more some experiences that I had during the negotiations and do so more in my personal capacity rather than with the official message that of course I conveyed in the general statement yesterday by the President of the General Assembly. This especially because of what I wanted to share and I thought it will be most of use would be what I actually experienced during my time in the negotiations of Goal 16. First of all precisely that personal nature of this remarks will allow me first of all to add a particular note of thank you and recognition to IDLO, not only because we felt and many of my colleagues felt as delegates and as negotiators the importance of what I remarked yesterday that the Agenda and the process of negotiations was a game changer in many ways and one of those was the active participation of important stakeholders and international organizations, and NGOs, and intergovernmental organizations which has specific role and we felt supported and during the process with inputs with feedbacks with documents with ideas and that's precisely the spirit that we intend to keep in the following days and also because yesterday when madame your report was presented I was in (unknown) when we are negotiating at early hours in the morning sometimes it is easy to forget that the field and the projects of the field and actually the work that changes people's lives by putting the people at the center of the agenda is the reason why you are having all these paragraphs and why you are having the negotiations on this particular framework and then later is used for (unknown) so my recognition to all the colleagues precisely in the field because in that regard they gave us a reason also to get those inputs back into the negotiations rooms or that was what we felt certainly at that time. And then after that I would like to stress the points of (unknown) the three main

challenges during the discussion and how we have been approaching those very informally in the sense that we are indeed on a work in progress in so many ways that it is really as we speak there is some projects, there is of course process that are underway some will end in march next year some others in July next year and this is kind of the adventure that we are all undertaking together. First of all when (unknown) and we were actually addressing the issue of rule of law and goal 16 was the question that already has been expressed a couple of times that is the how do we deal with what rule of law is. Do we go with what rule of law is for some particular specificities, do we actually get into the definition we have of course many precedencies you know that rule of law for some actually can be trace even from the preamble of the charter and aims of the United Nations, the definition of 2004 that was in one of the reports of the Secretary General, we have had thematic debates, of course we have resolutions especially in the 6th Committee, we have you all know very well, the high level declaration on the rule of law of 2012, but the main question was precisely rule of law when we talk about goal 16, we re referring specifically to approach the issue from the international perspective, from the national perspective, from both perspectives at the same time and how the specificities will be done on the text so it will be easy or at least it will be possible to measure rule of law. That was actually one of the first challenges and at the end the negotiations that I did at the time will not enter into too much detail regarding both the title and how at the end this particular introduction rule of law at the national and international level was reflected but certainly at the end we decided as sometimes it is done to focus on what we could agree on, in particular in the different kind of manifestations of the rule of law and good governance and in the way that goal 16 is already reflected. The second one or the second challenge is what you already referred yesterday before the introduction which is the crosscutting nature of rule of law. The issue of rule of law as an enabler or an outcome of the whole agenda and there was a position of many countries, because at the end rule of law has to do with, I mentioned this also in my presentation yesterday, rule of law has to do with everything from protecting the ocean, guaranteeing gender equality, addressing the eradication of poverty. How is that done if not through for example access to justice, if not through accountable and efficient institutions, if not through transparency. So this nature of the rule of law calls for some kind of creative approach in the way that you will focus goal 16 and if you see that, you

will see that from the title to the end of goal 16 it covers actually all or most of the manifestations of rule of law, but indeed you will find, as it has been mentioned by several speakers, the concept of rule of law all through the agenda. If we go even further than that in the action agenda for Addis Ababa, financing for development, actually there are some parts that if I read it to you, you do not know if they come from goal 16 directly or they come from the agenda itself because for example there is a particular commitment to taxation to reduce illicit flows which is also on goal 16. The second challenge is the importance that the rule of law has across the whole agenda and the third and last point that I wanted to mention is the difficulty of measuring and when we were in the debate and of course (unknown) referring to indicators with that in detail, but there was some different levels of indicators inside goal 16, well concepts that are easier to measure than others of course there is (unknown) for example for illicit flows there are kind of objective part that can be at least approached through objective data. Then how do you measure the promotion of rule of law or how are you going to do either a basket of indicators, you are going to do a structural indicators, you are going to do composite indicators and that debate is ongoing and right now and I think that, that will be one of the first issues on the agenda for goal 16 in the moment. And finally I would like just to refer in that to two points where we have approaches. One is to the resolution which I would recommend in the 6th Committee that you refer to that it has just been adopted by 6th Committee and that will pass onto the General Assembly but then there are already some concepts that we had referred during the negotiations regarding the ownership of the national activities of the rule of law, the need of the UN system to promote those capacity building through the voluntary pledges member states regarding rule of law and that's very important in the way that is one of the examples of the success example we have on the rule of law and implementation and second, and that will be my last point, is that we have already one of the key points will be the three elements that came to the discussion on the measurement which is: monitor, share and learn. Sometimes when you are trying to (unknown) referred to the rule of law as a point difficult to measure at one point one of us said it is like swimming, sometimes the view is (unknown) you are theoretically talking about swimming, and you organize a roundtable and you try to explain to someone instead of showing actually someone and take him to the pool and showing it takes more time and our surprise has been that indeed

when you refer to the measurement of the rule of law sometimes when you actually show that many countries and many projects including many projects for example done by IDLO and other institutions are already working on the field and you have been approached already to judicial bodies, you have approached already the way to guarantee the access to justice for example to women for their successful projects (unknown) that kind of things in the sharing of best experience I think is one of the most important way for (unknown) and for the UN can have one of the best part of the universal form for sharing experiences and this is also the reason why we are also working on those platforms to share the best experiences and to try to get those who can work especially for the future. I think with that I will leave it to you, thank you and of course my recognition to the work on the field that IDLO does. Thank you.