

UN ENGAGEMENT ON THE RULE OF LAW

Helping States Substitute Right for Might



Promoting the rule of law at national and international level is at the very heart of the global mission of the United Nations. The rule of law is fundamental to achieving a durable peace in the aftermath of conflict, to the protection of human rights, and to economic progress and development. The basic concept that drives our work is the principle that everyone – from the ordinary citizen to the State and its leaders – is accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. As a lawyer and a former professor of law, I retain a deep personal interest in this area of UN engagement.

Since its founding, the United Nations has played a leading role in building the capacity of Member States to implement international law. This support has encompassed treaty law as well as laws covering international trade, human rights and disarmament. A major and expanding area of work is operational and programmatic support at the national level involving peacemaking, peacekeeping, peacebuilding, crisis and post-crisis situations, and long-term development. The United Nations' rule of law programming extends to more than 120 Member States in every region of the world. In at least 50 countries, at least three UN entities are carrying out rule of law activities. Twenty-two of those countries host UN peace operations engaged in peacemaking, peacekeeping and peacebuilding with mandates related to the rule of law.

In recent years, the United Nations has sought to strengthen its work and knowledge base in this vital area. Forty UN entities have undertaken activities in this field, giving us a wealth of expertise. Yet we can and must be more strategic and coherent, and better coordinated. To this end, the Secretary-General has established new, system-wide arrangements, consisting of the Rule of Law Coordination and Resource Group, which brings together, under my leadership, the heads of the nine UN departments and agencies most engaged on the issue; the Rule of Law Unit; and a system of lead entities for various rule of law sub-sectors.

The foremost task of the Group is to improve overall coordination and to provide policy direction to the UN system. Toward that end, last year, the Secretary-General issued a guidance note on the UN approach to rule of law assistance. The note provides a framework for strengthening the rule of law based on international norms and standards, and sets out the key principles of UN engagement, such as national ownership and accountability. The Group has developed a result-based Joint Strategic Plan for the period 2009-2011, the first collective roadmap of its kind on the rule of law at the United Nations.

The second critical responsibility of the Group is to develop strong partnerships and align our approach with those of other stakeholders. In many countries, the United Nations is one rule of law actor among many, including bilateral donors, regional and non-governmental organizations and other international organizations. UN efforts will be effective only if they complement similar initiatives within the broader international community. Research institutes and social scientists are important additional partners, given their ability to help us evaluate and measure the impact of UN assistance.

Third, the United Nations is committed to placing the perspectives of national government and civil society

stakeholders in recipient countries at the centre of our efforts to make rule of law activities more strategic and effective. Such perspectives are vital for understanding national dynamics and for policy-making, and can enrich the debate at the international level, too.

Our overarching goal is to improve the effectiveness of the rule of law assistance provided to Member States at their request. While the United Nations has made significant progress, we still face challenges in realizing the benefit that international norms and standards hold for people throughout the world. In partnership with all stakeholders, we will continue to do our utmost to enhance the capacity of Member States and their populations to build a just, secure and peaceful national and international order governed by the rule of law.

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