# Rule of Law

"For the United Nations, the rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal

The rule of law and transitional justice in conflict and post-conflict societies: Report of the Secretary-General (<u>S/2004/616</u>, 23 August 2004)

United Nations and the Rule of Law: <a href="https://www.un.org/ruleoflaw/">https://www.un.org/ruleoflaw/</a>

#### Sustainable Development Goal 16 - Peace, Justice and Strong Institutions:

https://www.un.org/ruleoflaw/sdg-16/

https://www.un.org/sustainabledevelopment/peace-justice/

https://sdgs.un.org/goals/goal16

# **UN System and the Rule of Law**

https://www.un.org/ruleoflaw/un-and-the-rule-of-law/

- UN Department of Economic and Social Affairs (DESA): <a href="https://www.un.org/en/development/desa/what-we-do/rule-of-law.html">https://www.un.org/en/development/desa/what-we-do/rule-of-law.html</a>
- UN Department of Political and Peacebuilding Affairs (DPPA): <a href="https://dppa.un.org/en">https://dppa.un.org/en</a>
- UN Department of Peace Operations (DPO): <a href="https://peacekeeping.un.org/en/department-of-peace-operations">https://peacekeeping.un.org/en/department-of-peace-operations</a>
  - Building Rule of Law and Security Institutions: https://peacekeeping.un.org/en/building-rule-of-law-and-security-institutions
- Office for the Coordination of Humanitarian Affairs (OCHA): <a href="http://www.unocha.org">http://www.unocha.org</a>
- Office of the UN High Commissioner for Human Rights (OHCHR): <a href="http://www.ohchr.org">http://www.ohchr.org</a>
  - o Justice & the rule of law: https://www.ohchr.org/en/topics#Justicetheruleoflaw
- UN Office of Legal Affairs (OLA): <a href="https://www.un.org/ola/">https://www.un.org/ola/</a>
- Office of the Special Representative of the Secretary-General for Children and Armed Conflict: <a href="https://childrenandarmedconflict.un.org/">https://childrenandarmedconflict.un.org/</a>
- Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict -UN Team of Experts on Rule of Law and Sexual Violence in Conflict: https://www.un.org/sexualviolenceinconflict/our-work/team-of-experts/
- Peacebuilding Support Office (PBSO): <a href="https://www.un.org/peacebuilding/supportoffice">https://www.un.org/peacebuilding/supportoffice</a>
- United Nations Democracy Fund (UNDEF): <a href="https://www.un.org/democracyfund/">https://www.un.org/democracyfund/</a>
- United Nations Development Programme (UNDP): https://www.undp.org
  - Rule of law and human rights: <a href="https://www.undp.org/rolhr">https://www.undp.org/rolhr</a>

    United Nationa Environment Programme (UNED): <a href="https://www.undp.org/rolhr">https://www.undp.org/rolhr</a>
- United Nations Environment Programme (UNEP): https://www.unep.org/
  - Promoting Environmental Rule of Law: <a href="https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/promoting-environmental-rule-law">https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/promoting-environmental-rule-law</a>



- United Nations Educational, Scientific and Cultural Organization (UNESCO): https://en.unesco.org/
  - Artificial Intelligence and the Rule of Law: <a href="https://www.unesco.org/en/artificial-intelligence/rule-law">https://www.unesco.org/en/artificial-intelligence/rule-law</a>
- United Nations Human Settlements Programme (UN-Habitat): https://unhabitat.org/
  - Human Rights, Rule of Law and the New Urban Agenda:
     <a href="https://unhabitat.org/human-rights-rule-of-law-and-the-new-urban-agenda">https://unhabitat.org/human-rights-rule-of-law-and-the-new-urban-agenda</a>
- Office of the UN High Commissioner for Refugees (UNHCR): <a href="https://www.unhcr.org">https://www.unhcr.org</a>
  - Rule of Law and Transitional Justice: <u>https://www.unhcr.org/what-we-do/protect-human-rights/protection/rule-law-and-transitional-justice</u>
- UN Children's Fund (UNICEF): <a href="https://www.unicef.org">https://www.unicef.org</a>
- UN Office on Drugs and Crime (UNODC): <a href="https://www.unodc.org">https://www.unodc.org</a>
- United Nations Office for Project Services (UNOPS): <a href="https://www.unops.org">https://www.unops.org</a>
- UN Women UN Entity for Gender Equality and the Empowerment of Women: <a href="https://www.unwomen.org">https://www.unwomen.org</a>
  - Rule of law: Justice and security: <a href="https://www.unwomen.org/en/what-we-do/peace-and-security/rule-of-law-and-justice">https://www.unwomen.org/en/what-we-do/peace-and-security/rule-of-law-and-justice</a>
- World Bank: <a href="https://www.worldbank.org">https://www.worldbank.org</a>

## **UN Conferences & Events**

- Security Council Meeting on 12 January 2023 on "The promotion and strengthening of the rule of law in the maintenance of international peace and security"
  - Meeting Records: <a href="https://undocs.org/S/PV.9241">https://undocs.org/S/PV.9241</a>(Resumption1)
- Security Council Meetings on 18 and 21 December 2020 on "The promotion and strengthening of the rule of law: Strengthening the cooperation between the Security Council and the International Court of Justice"
  - o Concept note: <a href="https://undocs.org/S/2020/1194">https://undocs.org/S/2020/1194</a>
  - o Presidential Statement: <a href="https://undocs.org/S/PRST/2020/13">https://undocs.org/S/PRST/2020/13</a>
  - Written Record: https://undocs.org/S/2020/1286
- Security Council Meetings on 1 April, 13 and 20 August 2019 on "The promotion and strengthening of the rule of law in the maintenance of international peace and security"
  - Meeting Records: <a href="https://undocs.org/S/PV.8596">https://undocs.org/S/PV.8596</a>, <a href="https://undocs.org/S/PV.8599">https://undocs.org/S/PV.8599</a>
  - o Presidential Statement: S/PRST/2019/8 (20 August 2019): https://undocs.org/S/PRST/2019/8
- 13th Congress on Crime Prevention and Criminal Justice (Doha) High Level Special Event on Rule of Law, Human Rights and the Post 2015 Development
  Agenda (13 April 2015):
  <a href="https://www.unodc.org/congress/en/previous/previous-13.html">https://www.unodc.org/congress/en/previous/previous-13.html</a>
- Security Council Open Debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security (19 February 2014):
  - o Concept Note: <a href="http://undocs.org/S/2014/75">http://undocs.org/S/2014/75</a>
  - Meeting Records: <a href="http://undocs.org/S/PV.7113">http://undocs.org/S/PV.7113</a>
- High-level Meeting on the Rule of Law (24 September 2012): <a href="https://www.unsystem.org/content/high-level-meeting-general-assembly-rule-law-national-and-international-levels">https://www.unsystem.org/content/high-level-meeting-general-assembly-rule-law-national-and-international-levels</a>
  - http://un-library.tumblr.com/post/32196439819/high-level-meeting-on-the-rule-of-law
  - Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (A/RES/67/1): <a href="http://undocs.org/A/RES/67/1">http://undocs.org/A/RES/67/1</a>
- Treaty Event: "Strengthening the Rule of Law" (24-26 September & 1-2 October 2012): <a href="https://treaties.un.org/Pages/TreatyEvents.aspx?path=Treaty/Page1">https://treaties.un.org/Pages/TreatyEvents.aspx?path=Treaty/Page1</a> en.xml

- Security Council Open Debate on the subject "The promotion and strengthening of the rule of law in the maintenance of international peace and security" (29 June 2010)
  - o Concept Note: <a href="http://undocs.org/S/2010/322">http://undocs.org/S/2010/322</a>
  - Meeting Records: <a href="http://undocs.org/S/PV.6347">http://undocs.org/S/PV.6347</a>(Resumption 1)

#### **Selected UN Documents**

- A/RES/78/112: The rule of law at the national and international level: resolution adopted by the General Assembly on 7 December 2023: <a href="https://undocs.org/A/RES/78/112">https://undocs.org/A/RES/78/112</a>
- **A/78/439** (17 November 2023): The rule of law at the national and international levels: report of the 6th Committee: General Assembly, 78th session: https://undocs.org/A/78/439
- A/78/184 (14 July 2023): Strengthening and coordinating United Nations rule of law activities: report of the Secretary-General: <a href="https://undocs.org/A/78/184">https://undocs.org/A/78/184</a>
   Submitted pursuant to General Assembly resolution 77/110.
- A/HRC/RES/52/22: Human rights, democracy and the rule of law: resolution / adopted by the Human Rights Council on 3 April 2023: https://undocs.org/A/HRC/RES/52/22
- A/HRC/52/72 (5 January 2023): Fourth session of the Forum on Human Rights, Democracy and the Rule of Law: report of the Chair: <a href="https://undocs.org/A/HRC/52/72">https://undocs.org/A/HRC/52/72</a>
  Held in Geneva on 24 and 25 Nov. 2022 pursuant to Human Rights Council resolutions 28/14 and 46/4.
- A/RES/77/110: The rule of law at the national and international levels: resolution adopted by the General Assembly on 7 December 2022: <a href="https://undocs.org/A/RES/77/110">https://undocs.org/A/RES/77/110</a>
- **A/77/422** (11 November 2022): The rule of law at the national and international levels: report of the 6th Committee: General Assembly, 77th session: <a href="https://undocs.org/A/77/422">https://undocs.org/A/77/422</a>
- A/HRC/RES/51/14: The role of prevention in the promotion and protection of human rights: the rule of law and accountability: resolution adopted by the Human Rights Council on 6 October 2022: <a href="https://undocs.org/A/HRC/RES/51/14">https://undocs.org/A/HRC/RES/51/14</a>
- A/77/213 (22 July 2022): Strengthening and coordinating United Nations rule of law activities: report of the Secretary-General: <a href="https://undocs.org/A/77/213">https://undocs.org/A/77/213</a>
  Submitted pursuant to General Assembly resolution 76/117.
- A/CN.9/1105 (27 May 2022): Role of UNCITRAL in promoting the rule of law at the national and international levels: note / by the Secretariat: <a href="https://undocs.org/A/CN.9/1105">https://undocs.org/A/CN.9/1105</a>
- A/HRC/49/80 (27 January 2022): Third session of the Forum on Human Rights, Democracy and the Rule of Law: report of the Chair: <a href="https://undocs.org/A/HRC/49/80">https://undocs.org/A/HRC/49/80</a>
  Held in Geneva on 16 and 17 Nov. 2021 pursuant to Human Rights Council resolutions 28/14 and 40/9.
- A/RES/76/117: The rule of law at the national and international levels: resolution adopted by the General Assembly on 9 December 2021: <a href="https://undocs.org/A/RES/76/117">https://undocs.org/A/RES/76/117</a>
- **A/76/476** (18 November 2021): The rule of law at the national and international levels: report of the 6th Committee: General Assembly, 76th session: <a href="https://undocs.org/A/76/476">https://undocs.org/A/76/476</a>
- A/RES/74/191: The rule of law at the national and international levels: resolution / adopted by the General Assembly on 18 December 2019: <a href="http://undocs.org/A/RES/74/191">http://undocs.org/A/RES/74/191</a>
- A/RES/74/172: Education for Justice and the rule of law in the context of sustainable development: resolution / adopted by the General Assembly on 18 December 2019: <a href="http://undocs.org/A/RES/74/172">http://undocs.org/A/RES/74/172</a>
- A/74/139 (11 July 2019): Strengthening and coordinating United Nations rule of law activities: report of the Secretary-General: <a href="http://undocs.org/A/74/139">http://undocs.org/A/74/139</a>
   Submitted pursuant to General Assembly resolution 73/207. "Annex: Subtopic: sharing best practices and ideas to promote respect for international law among States": p. 17.
- A/HRC/RES/40/9: Human rights, democracy and the rule of law: resolution / adopted by the Human Rights Council on 21 March 2019: <a href="http://undocs.org/A/HRC/RES/40/9">http://undocs.org/A/HRC/RES/40/9</a>
- A/HRC/40/65 (15 January 2019): Second session of the Forum on Human Rights, Democracy and the Rule of Law: report of the Chair: <a href="http://undocs.org/A/HRC/40/65">http://undocs.org/A/HRC/40/65</a>
  Held in Geneva on 22 and 23 Nov. 2018 pursuant to Human Rights Council resolutions 28/14 and 34/41.
- A/RES/73/207: The rule of law at the national and international levels: resolution / adopted by the General Assembly on 20 December 2018: <a href="http://undocs.org/A/RES/73/207">http://undocs.org/A/RES/73/207</a>
- A/RES/73/185: The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals: resolution / adopted by the General Assembly on 17 December 2018: http://undocs.org/A/RES/73/185
- A/RES/72/119: The rule of law at the national and international levels: resolution / adopted by the General Assembly on 7 December 2017: <a href="http://undocs.org/A/RES/72/119">http://undocs.org/A/RES/72/119</a>
- A/HRC/34/46 (31 January 2017): First session of the Forum on Human Rights, Democracy and the Rule of Law: report of the Co-Chairs: <a href="http://undocs.org/A/HRC/34/46">http://undocs.org/A/HRC/34/46</a>
  1st session held in Geneva from 21 to 22 Nov. 2016 pursuant to Human Rights Council resolution 28/14.

- A/RES/71/148: The rule of law at the national and international levels: resolution / adopted by the General Assembly on 13 December 2016: <a href="http://undocs.org/A/RES/71/148">http://undocs.org/A/RES/71/148</a>
- **A/71/515** (11 November 2016): The rule of law at the national and international levels: report of the 6th Committee: General Assembly, 71st session: <a href="http://undocs.org/A/71/515">http://undocs.org/A/71/515</a>
- Further documents click <u>here</u>

### **Further Information**

- United Nations What We Do Uphold International Law: https://www.un.org/en/our-work/uphold-international-law
- Global Issues on the UN Agenda International Law and Justice: https://www.un.org/en/global-issues/international-law-and-justice
- General Assembly Sixth Committee (Legal): http://www.un.org/en/ga/sixth/index.shtml
  - Seventy-eighth session: The rule of law at the national and international levels (Agenda item 83): <a href="https://www.un.org/en/ga/sixth/78/rule">https://www.un.org/en/ga/sixth/78/rule</a> of <a href="law.shtml">law.shtml</a>

#### **Research & Documentation**

United Nations Rule of Law - Document Repository

https://www.un.org/ruleoflaw/knowledge-resources/document-repository/

The Document Repository is a promotional and educational tool for practitioners and the general public. It seeks to inform users about the UN's work in the field of rule of law, and its efforts to coordinate and strengthen system-wide approaches in this field. It is the central UN rule of law webbased resource, serving as a gateway to the rest of the UN's related sites, and making information more widely accessible about UN rule of law issues and activities, and the various tools, documents and materials on the subject. The website is also an avenue for users to access other web resources on or related to rule of law, developed by the UN or external organizations.

Audiovisual Library of International Law

http://legal.un.org/avl/

Lecture Series on "Rule of Law, Democracy and Good Governance":

http://legal.un.org/avl/ls/ruleoflaw.html

The research library contains links to other web-based resources providing international law-related materials. The library is divided into four components: resources relating to treaties; materials concerning the jurisprudence of international courts and tribunals; access to selected UN publications and repositories; and selected scholarly writings in international law.

- Repertoire of Practice of the Security Council Rule of law: https://www.un.org/securitycouncil/content/repertoire/thematic-items#R
- Dag Hammarskjöld Library Research Guides UN Documentation International Law: https://research.un.org/en/docs/law
- Ask Dag: Where can I find information about the UN and rule of law? https://ask.un.org/fag/274348
- UNRIC Library Backgrounder Special Tribunals & other mechanisms: https://unric.org/en/unric-library-backgrounder-special-tribunals/
- UNRIC Library Backgrounder Responsibility to Protect: https://unric.org/en/unric-library-backgrounder-r2p

#### Selected Publications available online

- Environmental Rule of Law: Tracking Progress and Charting Future Directions (UNEP, November 2023): <a href="https://www.unep.org/resources/publication/environmental-rule-law-tracking-progress-and-charting-future-directions">https://www.unep.org/resources/publication/environmental-rule-law-tracking-progress-and-charting-future-directions</a>
- Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention (UNU-CPR, 2021): <a href="https://cpr.unu.edu/research/projects/rule-of-law-peace.html">https://cpr.unu.edu/research/projects/rule-of-law-peace.html</a>
- The Case for a Human Rights Approach to the Rule of Law in the EU (OHCHR, 2020): https://europe.ohchr.org/EN/Stories/Documents/Publication.pdf
- Global Focal Point for the Rule of Law (GFP): A joint arrangement for Rule of Law delivery in crisis situations (Factsheet, August 2019): https://peacekeeping.un.org/sites/default/files/august 2019 gfp factsheet1.pdf
- Strengthening the Rule of Law through Education: A Guide for Policymakers (UNESCO / UNODC, 2019): <a href="https://unesdoc.unesco.org/ark:/48223/pf0000366771">https://unesdoc.unesco.org/ark:/48223/pf0000366771</a>
- Successes and challenges in strengthening the rule of law to support sustainable development (Factsheet 3, 13th Congress on Crime Prevention and Criminal Justice, Doha, 12-19 April 2015):
  - http://www.un.org/en/events/crimecongress2015/pdf/Factsheet 3 Rule of law EN.pdf
- Rule-of-law tools for post-conflict States: Archives (OHCHR, 2014): http://www.ohchr.org/Documents/Publications/HR PUB 14 4 Archives en.pdf
- UN Chronicle, Volume XLIX, Number 4, 2012 "Delivering Justice": https://www.un.org/en/issue/405
- The United Nations Rule of Law Indicators: Implementation Guide and Project Tools (DPKO / OHCHR, 2011):
  - https://peacekeeping.un.org/sites/default/files/un rule of law indicators.pdf
- Rule-of-law tools for post-conflict States: Amnesties (OHCHR, 2009): http://www.ohchr.org/Documents/Publications/Amnesties en.pdf
- Rule-of-law tools for post-conflict States: National Consultations on Transitional Justice (OHCHR, 2009):
  - http://www.ohchr.org/Documents/Publications/NationalConsultationsTJ\_EN.pdf
- Rule-of-law tools for post-conflict States: Reparations programmes (OHCHR, 2008): http://www.ohchr.org/Documents/Publications/ReparationsProgrammes.pdf
- Rule-of-law Tools for Post-Conflict States: Maximizing the legacy of hybrid courts (OHCHR, 2008): <a href="http://www.ohchr.org/Documents/Publications/HybridCourts.pdf">http://www.ohchr.org/Documents/Publications/HybridCourts.pdf</a>
- Rule-of-law tools for post-conflict States: Truth commissions (OHCHR, 2006): http://www.ohchr.org/Documents/Publications/RuleoflawTruthCommissionsen.pdf
- Rule-of-law tools for post-conflict States: Mapping the justice sector (OHCHR, 2006): <a href="http://www.ohchr.org/Documents/Publications/RuleoflawMappingen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawMappingen.pdf</a>
- Rule-of-law tools for post-conflict States: Monitoring legal systems (OHCHR, 2006): http://www.ohchr.org/Documents/Publications/RuleoflawMonitoringen.pdf
- Rule-of-law tools for post-conflict States: Prosecution initiatives (OHCHR, 2006): http://www.ohchr.org/Documents/Publications/RuleoflawProsecutionsen.pdf
- Rule-of-law tools for post-conflict States: Vetting an operational framework (OHCHR, 2006): <a href="http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf</a>
- UNHCR Suggested Reading on the Rule of Law and Transitional Justice: http://www.unhcr.org/4a2cc2e26.html
- UN Police Magazine, Corrections Update, Justice Review: https://peacekeeping.un.org/en/publications