

## **Intergovernmental negotiations on the Post-2015 Development agenda**

### **Declaration session**

17 to 20 February 2015

### **Remarks by Ambassador Martin Sajdik**

### **as Coordinator of the Group of Friends of the Rule of Law**

I speak on behalf of the following participants of the Group of Friends of the Rule of Law: Belgium, Costa Rica, Czech Republic, Finland, Italy, Japan, Latvia, Liechtenstein, Mexico, The Netherlands, Papua New Guinea, Republic of Korea, Romania, Slovenia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay, and my own country, Austria, as well as Albania, Chile, Croatia, Estonia, Georgia, Iceland, Israel, Lithuania, Malta, Norway, Poland, Slovakia and Turkey.

Allow me to start my remarks by thanking the Co-Facilitators for the elements paper they have circulated, and for giving us this opportunity to discuss in a comprehensive way the shape and content of the Declaration.

To achieve our collective vision of a sustainable future we should keep in mind what we agreed at the High Level Meeting of the General Assembly on the rule of law: *“that the rule of law and development are strongly interrelated and mutually reinforcing, that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development , all of which in turn reinforce rule of law, and for this reason we are convinced that this interrelationship should be considered in the post 2015 international development agenda.”*

In this regard, the international community has – on many occasions – stressed the link between the rule of law and sustainable development and has agreed that the sustainable development goals must be consistent with international law. The post-2015 development agenda should, inter alia, promote democratic governance, the rule of law and human rights for all.

There is a shared view that the rule of law is critical to sustainable development not only as an essential condition for development but also as a development outcome. Areas such as access to justice, accountability, inclusive, effective and accountable institutions,

anti-corruption, freedom of media, association and speech, legal identity, inter alia, are critical in that regard. The rule of law cuts across all aspects of sustainable development and it is therefore crucial that the rule of law is strongly embedded throughout the post-2015 agenda – and in the Declaration.

We welcome that these core principles of relevance to the rule of law and sustainable development are included in part in the elements paper and advocate strongly for their robust reflection throughout the Declaration.

We continue to place great importance on Goal 16 and its targets.

Distinguished Co-Facilitators,

You have asked us what underpins our **vision** for the Post-2015 Development Agenda.

Our group is convinced, as stated in the Declaration of the High Level Meeting of the General Assembly on the Rule of Law at the national and international levels, that *“our collective response to the challenges and opportunities arising from the many complex political, social and economic transformations before us must be guided by the rule of law, as it is the foundation of friendly and equitable relations between States and the basis on which just and fair societies are built.”*

In this sense, we consider the following especially relevant in relation to the rule of law and the Post-2015 Development Agenda:

- **First: Respect for international law and the Charter as well as fair, stable and predictable legal frameworks.**
- **Second: Universality.** The new Development agenda should apply equally to all and be fully consistent with internationally agreed norms and standards.
- **Third: a people-centered approach.** We must ensure that all actions respect and advance human rights.
- **Fourth: Equality and non-discrimination.** We must address inequalities in all areas and ensure no one is left behind.
- **Fifth: Accountability and Good Governance.** To achieve our goals and monitor progress, governments and international organizations must be accountable to the people for results.

Our objectives in pursuing a **transformative approach** to development have long been agreed in the founding Charter of the UN: *“to save succeeding generations from the scourge of war ... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small ... to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom”*.

In concrete terms, therefore, a transformative, people-centered, universal development agenda should be guided by the **promotion of and respect for the rule of law at the national and international levels**, as well as **justice and good governance**.

In our view, and in addition to the principles and values in your elements paper, the Declaration should underline the link between **sustainable development and the rule of law and good governance**, including its relevance for all three dimensions of sustainable development. Examples of language include the 2012 Declaration on the Rule of Law (para 7), the Rio+20 Outcome (para 10) and the World Summit Outcome Document. Para 11 of the World Summit outcome, for example stresses that *“good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty and hunger.”*

The Declaration should include an overarching paragraph on **respect for and promotion of human rights and the rule of law**. There are ample examples of previously agreed language, such as the Millennium Declaration (para 24), the World Summit Outcome Document (para 119 and 120) and the Rio+20 Outcome (para 8).

The Declaration should also address the rule of law and good governance at the national and international levels as **essential for an effective use of the means of implementation**. These principles have already been reflected in the World Summit Outcome Document, e.g. paras 21, 24(b) and 25 (a), and the Rio+20 outcome (para 252) as well as in the 2012 Declaration on the Rule of Law. In para 8 of this Declaration we *“recognize the importance of fair, stable and predictable legal frameworks for generating inclusive, sustainable and equitable development, economic growth and employment, generating investment and facilitating entrepreneurship (...)”*.

The Declaration should also refer to rule of law and good governance as critically important for **monitoring and accountability**. In this context, for example transparency, participation in decision-making, and access to information as well as freedom of speech, association and assembly are crucial elements.

Distinguished Co-Facilitators,

As participants of the Group of Friends of the Rule of Law, we all advocate for a strong integration of the rule of law in the Declaration.

Concluding, I would like to again thank you for giving us the opportunity to thoroughly discuss these important aspects and wish you every success.

Thank you.