

## STATEMENT BY THE INTERNATIONAL SECTION<sup>1</sup>

International #12

September 24, 2012

### Statement Submitted by the New York State Bar Association (NYSBA) International Section at the United Nations General Assembly High-Level Plenary Meeting on the Rule of Law at the National and International Levels

Excellencies,

We celebrate the historic occasion of the first-ever high-level meeting of the United Nations General Assembly on the rule of law at the national and international levels today. And we congratulate you for the consensus of the representatives of the 193 member states of the United Nations to agree on the Declaration that you are about to adopt today.

As one of the civil society organizations active in the field of the rule of law that was invited to participate in this high-level meeting, we are extremely honored to share this historical moment with you on this day, September 24, 2012.

His Excellency, Mr. Nassir Abdulaziz Al-Nasser, President of the 66<sup>th</sup> Session of the General Assembly, has identified

the General Assembly's conviction that the implementation and effective use of modern private law standards on international trade are essential for advancing good governance, sustained economic development and the eradication of poverty and hunger. Promotion of the rule of law in commercial relations should be an integral part of the broader agenda of the United Nations .... [T]he rule of law agenda is not focused only on human rights, criminal law and public international law....

These words express well the conviction of the NYSBA International Section (with over 2,000 members worldwide with chapters in over 60 different countries), which has been especially devoted to the support and encouragement of the rule of law in international commercial relations and all the other manifold inter-relations between private actors across state borders that make up what can be called "international civil society." We believe we can contribute to the implementation of the Declaration to develop further the linkages between the rule of law and the three main pillars of the United Nations: peace and security, human rights and development.

We agree with the Declaration that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they are among the universal and indivisible core values and principles.

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<sup>1</sup> This submission has been approved by the International Section. It has not been submitted for approval to NYSBA's Executive Committee or House of Delegates and thus does not represent the position of NYSBA unless and until such approval by the Association's Executive Committee or House of Delegates.

We also agree with the statement 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. Furthermore, we agree that the independence of domestic and international judicial systems, and the maintenance of their impartiality and integrity, are essential prerequisites for upholding the rule of law nationally and internationally.

We fully share the view of the 193 nations about 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. Therefore we are pleased to see that the Declaration expressly commends the work of United Nations Commission on International Trade Law (UNCITRAL) in modernizing and harmonizing international trade law. And we are also pleased to praise the positive contribution of the Economic and Social Council (ECOSOC) to strengthening the rule of law, pursuing the eradication of poverty and furthering the economic, social and environmental dimensions of sustainable development.

We wish you every success in your endeavor to create a better world for posterity through the establishment of the rule of law at every level of human life all across the globe. We look forward to working with you and your governments to achieve this noble goal in the upcoming years through the United Nations process.

Thank you for your attention.

Chair, NYSBA International Section: Andrew D. Otis, Esq.