



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

16 March 2011

Excellency,

On 6 December 2010, the General Assembly adopted a resolution to hold a high-level meeting of the General Assembly on the rule of law at the national and international levels during the high-level segment of its 67th session (A/RES/65/32). As a contribution to the preparation process to this event, I will be convening an Interactive Thematic Debate on “The rule of law and global challenges” on 11 April 2011 at the United Nations Headquarters in New York.

I am pleased to share with you the latest concept paper and draft programme of the Interactive Thematic Debate for your reference. Updated information about the event is available on the website of the President of the General Assembly.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Deiss'.

Joseph Deiss

All Permanent Representatives and
Permanent Observers to the United Nations
New York

GENERAL ASSEMBLY INTERACTIVE THEMATIC DEBATE
ON
THE RULE OF LAW AND GLOBAL CHALLENGES

“Promoting universal adherence to and implementation of the rule of law at the national and international levels”

The President of the 65th session of the General Assembly, in partnership with the Rule of Law Coordination and Resource Group and the Rule of Law Unit, will convene an interactive thematic debate of the General Assembly to examine how strengthening the rule of law can assist in addressing the key global challenges the international community is facing today.

Objective

The interactive thematic debate is a key step in the process leading to the high-level meeting of the General Assembly on rule of law, mandated for the high-level week of the Assembly’s 67th session. It will help draw out common ground among Member States and foster agreement on the modalities of this high-level meeting, to be finalized during the 66th session (A/RES/65/32). A thematic debate on rule of law and global challenges in the spring of 2011 is thus a critical stepping stone in the process leading up to the high-level debate to focus Member States’ attention and develop momentum for potential outputs for the high-level meeting of the General Assembly.

Background

The rule of law is a principle of governance which lies at the heart of the United Nations’ mission. It is an end in itself as well as a means to attain the fundamental goals of the Charter in the fields of peace and security, human rights and sustainable development. In the 2005 World Summit Outcome (A/RES/60/1), Heads of State and Government reaffirmed their commitment to the purposes and principles of the Charter and international law and to an international order based on the rule of law, which is essential for peaceful coexistence and cooperation among States. They also acknowledged that the rule of law at the national and international levels is essential for sustained economic growth, sustainable development and the eradication of poverty and hunger. Since the 61st session of the General Assembly, the Sixth Committee has considered every year the agenda item “The rule of law at the national and international levels.”

Modalities

The one-day interactive debate will be opened by the President of the General Assembly and the Secretary-General, followed by two keynote addresses, two thematic panel discussions and a wrap-up session. An interactive discussion will be part of each panel. The format will allow for the engagement of a wide range of stakeholders involved in strengthening the rule of law, including Member States, the United Nations system and civil society.

Panel 1: "Rule of law and conflict situations"

Conflict prevention involves measures targeted at reducing the risk of conflict by strengthening national capacities at all levels for conflict management and laying the foundations for sustainable peace and development. Essential to these tasks is enhancing the delivery of security and justice, including through strengthened law enforcement, judicial and corrections services, legal protection and access to justice for all and the peaceful settlement of disputes within communities. Reinforcing capacities in these areas also plays a critical role in peacebuilding in the aftermath of violent conflict. At the international level, a rules-based international system and dispute settlement mechanisms, such as the International Court of Justice, as well as non-judicial ones, play an important role in preventing conflict. Transitional justice mechanisms which address the legacy of large-scale human rights abuses can contribute to achieving the broader objectives of prevention of further conflict, peacebuilding and reconciliation.

Key questions:

- How can sustainable rule of law assistance and support to creating resilient societies help to prevent conflict?
- In what ways can the rule of law contribute to peacebuilding in the aftermath of conflict?
- What further steps should be taken to promote accountability, serve justice and achieve reconciliation to prevent relapse into conflict in peacebuilding contexts?
- How can the international community better galvanize efforts to support States to strengthen the rule of law in peacebuilding and conflict prevention contexts in a coordinated, coherent and predictable manner?

Panel 2: "Rule of law and development"

Access to justice and the rule of law are critical to creating an overall enabling environment in countries for social and economic progress and achievement of the MDGs. Addressing poverty reduction involves ensuring that the poor are able to adequately voice their needs, seek redress against injustice, protect or leverage their resources, participate in public life, and influence policies that ultimately shape their lives. An effective legal and judicial system with harmonized investment protection and trade laws can also spur economic progress and improve living conditions. In today's globalized world, development is also increasingly affected by transnational challenges, such as transnational crime and corruption. To address them, global responses, grounded in the rule of law at the national and international levels as well as in local needs and realities, are essential.

Key questions:

- In what ways can the rule of law contribute to social and economic justice, economic growth and sustainable development?
- What is the contribution of harmonization of investment protection and trade laws to achieving economic growth?
- How will rule of law assistance, including through harmonization of laws, regulations and effective law enforcement cooperation across borders help combat transnational challenges and further sustainable development?
- How can rule of law programming in developing countries better take into account local needs and realities, and ensure local participation and ownership?

- What can be done to integrate rule of law in the development agenda in a more coordinated, coherent and consistent manner?
- How can the support from the international community to addressing transnational challenges and strengthening rule of law and development be more coordinated, coherent and predictable?

Wrap-up session: "The United Nations and Global Governance: Our shared responsibility in strengthening the rule of law"

Drawing on the experience in all key areas of the rule of law discussed throughout the event, the wrap-up session will summarise the progress that has been achieved by the UN since the 2005 World Summit Outcome in strengthening the rule of law. It will further explore how to best address the most pressing global challenges to effectiveness of rule of law assistance in the context of global governance. A focus will be given to the need for increased partnerships and resources and for greater coordination and coherence among all stakeholders involved in strengthening the rule of law at the national and international levels, including steps that can be taken to enhance UN cooperation and coordination with international actors, regional organizations and other expert networks.

Organization

The meeting room and facilities will be provided through DGACM and the PGA's Office. The United Nations Rule of Law Unit in the Executive Office of the Secretary-General will provide additional support for other organizational aspects of the debate.

GENERAL ASSEMBLY INTERACTIVE THEMATIC DEBATE
ON
THE RULE OF LAW AND GLOBAL CHALLENGES

DRAFT AGENDA

10:00 – 11:00 Opening session

- H. E. Mr. Joseph Deiss, *President of the 65th Session of the General Assembly*
- H. E. Mr. Ban Ki-moon, *Secretary-General of the United Nations*

Keynote addresses:

- H. E. Ms. Christiana Tah, *Minister of Justice of Liberia*
- H. E. Mr. Michael Spindelegger, *Minister of Foreign Affairs of Austria*

11:00 – 13:00 Panel 1 - Rule of law and conflict situations

Presentations by panelists, followed by an interactive discussion, will explore the key questions contained in the concept note.

Chair:

- Prince Zeid Ra'ad Zeid al-Husseini, *Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations* (TBC)

Panelists:

- Ms. Navanethem Pillay, *United Nations High Commissioner for Human Rights*
- Mr. Jean-Marie Guéhenno, *former Under-Secretary-General for Peacekeeping Operations* (TBC)
- Ambassador Ernest Petric, *President of the Constitutional Court of Slovenia*
- Mr. Michael von der Schulenburg, *ERSG UNIPSIL (Sierra-Leone)*

13:15 – 14:40 *Lunch hosted by the President of the General Assembly*

15:00 – 17:00 Panel 2 – Rule of law and development

Presentations by panelists, followed by an interactive discussion, will explore the key questions contained in the concept note.

Chair:

- H. E. Mr. Juan Manuel Gómez-Robledo, *Deputy Foreign Minister for Multilateral Affairs and Human Rights of Mexico*

Panelists:

- Ms. Helen Clark, *Under-Secretary-General and Administrator of the United Nations Development Programme*
- Ms. Michele Bachelet, *Under-Secretary-General for Gender Equality and the Empowerment of Women (UN Women)(TBC)*
- Ms. Anne-Marie Leroy, *Vice-President and Legal Counsel of the World Bank*
- H. E. Ms. Athaliah Molokomme, *Attorney General of Botswana*

17:15- 18:00 Wrap-up session: UN and Global Governance: Our shared responsibility in strengthening the rule of law

Closing Remarks by Ms. Asha-Rose Migiro, *Deputy Secretary-General of the United Nations*