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The rule of law at the national and international levels

Strengthening and coordinating United Nations rule of law activities

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution [76/117](#), provides information on efforts to promote and strengthen the rule of law at the national and international levels as well as on the coordination of United Nations rule of law assistance from 1 July 2021 to 30 June 2022.

* [A/77/150](#).



I. Introduction and summary of global rule of law developments

1. In its resolution 76/117, the General Assembly requested the Secretary-General to submit his annual report on United Nations rule of law activities, in accordance with paragraph 5 of resolution 63/128, addressing, in a balanced manner, the national and international dimensions of the rule of law. The report contains the response to that request and a summary of how concerted action by the United Nations system assisted Member States, at their request, to promote the rule of law.

2. Challenges to the rule of law remain on almost every front, with widespread conflicts and violations of international humanitarian law and international human rights law, including conflict-related sexual violence, and impunity for such crimes. The reporting period has also witnessed the erosion of the independence of judicial institutions, threats to democratic institutions such as free press and civic space, the climate emergency, and the continuing coronavirus disease (COVID-19) pandemic.

3. To address these and other global challenges, the Secretary-General offered a strategic plan of action in his report entitled “Our Common Agenda” (A/75/982). A central theme of Our Common Agenda is the renewal of the social contract, anchored in human rights. In parallel, the implementation of “The highest aspiration: a call to action for human rights”, launched by the Secretary-General,¹ across the United Nations system, integrating human rights across all mandates and on every level, entered its third year.

4. During the reporting period, the Organization supported the actions of Member States to tackle corruption, advance security and access to justice for all, counter terrorism and crime, offer constitutional assistance and support transitional justice.

5. Coherence across programmes has been fostered by the Global Focal Point for the Rule of Law and the call by the Secretary-General to pursue unified, cross-pillar approaches to prevention.

II. United Nations activities to strengthen the rule of law

A. Promotion of the rule of law at the national level

1. In focus: the rule of law in the context of a renewal of the social contract

6. The rule of law is the foundation of a fair and just society, a guarantee of responsible government and independent, accessible justice, and a core component of peace, security and sustainable development. Our Common Agenda recognizes that justice is an essential element of the social contract and that people’s experience of injustice, discrimination, inequality, corruption and the overarching failings of human rights frameworks lead to a rupture of the social contract and the erosion of trust in public institutions.

7. To guide the future engagement of the Organization on the rule of law, the Secretary-General announced the development of a new vision for the rule of law, building upon Sustainable Development Goal 16 and the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels of 2012 (Assembly resolution 67/1). The goal is to ensure that the United Nations rule of law assistance supports States, communities and people in rebuilding their social contract as a foundation for sustaining peace. The new vision is being crafted through an inclusive consultative process and will be launched by the end of the year.

¹ Available at www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf.

8. These strategic efforts were coupled with operational action. Examples of such assistance are provided throughout the report.

Promoting the rule of law in conflict and post-conflict settings

9. The United Nations continued to advance the rule of law in conflict and post-conflict settings, including through promoting effective, transparent and inclusive rule of law institutions, assisting in the restoration of the basic functioning of justice institutions in the aftermath of conflict and contributing to the fight against impunity for crimes fuelling conflicts.

10. In Afghanistan, since the Taliban takeover on 15 August 2021, the United Nations has sought to engage with the de facto authorities in the promotion of the rule of law in accordance with international human rights norms and standards, particularly in relation to women's access to justice and the promotion of women's and children's rights.

11. In the Central African Republic, the Organization supported the fight against impunity through its assistance to the Special Criminal Court and the Truth, Justice, Reparation and Reconciliation Commission. Supported by the joint rule of law programme, the Court held its first public hearing, received a total of 237 victims' complaints, extended its protective measures to 305 victims and witnesses and commenced its first trial on war crimes and crimes against humanity. The Organization also supported the redeployment of judicial personnel to their assigned jurisdictions, the equipping and rehabilitation of courts and the expansion of justice services, leading to the reopening of 24 out of 28 courts, of which 13 are operational in criminal matters.

12. In Libya, after launching a national dialogue on advancing human rights on 16 December 2021, the Organization facilitated several consultations with Libyan human rights defenders, including women, civil society actors, government entities, journalists, experts and academics, to exchange views on human rights in support of the work of the international humanitarian law and human rights working group established by the Berlin process. The working group heard from Libyan women human rights defenders about key challenges affecting human rights, including women's rights.

13. While the rule of law environment in the Sudan was severely affected by the political crisis that followed the coup d'état of October 2021, the Organization continued to support Sudanese-led initiatives where possible. For example, in December 2021 and January 2022, the United Nations hosted workshops on the oversight function of the attorney general regarding the use of force by law enforcement officials during protests. Owing to the pause in non-humanitarian donor funding for activities benefiting the Government, rule of law activities shifted to grass-roots and regional programming and support to human rights lawyers.

14. The United Nations is determined to invest more in rule of law assistance to help Member States to prevent conflict and restore stability in post-conflict settings. It is essential that the Organization be equipped to advance impactful rule of law interventions that reinforce governance, including through strengthened international networks and regional approaches, particularly those already supported by Member States.

2. Ensuring effective, inclusive and accountable justice and security institutions

15. With decreasing resources, the United Nations is seeking more effective and efficient formulas to support capacity-building and to strengthen rule of law institutions and access to justice initiatives. Through the Global Programme on

Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development, 41.9 million people gained access to justice in 2021.² Where requested and as mandated, targeted support included enhancing rule of law and security institutions and capacities as well as training and advising national actors to foster accountable justice and security institutions, including on women's access to justice and accountability for sexual and gender-based violence. Illustrative country-specific examples showcasing the diversity of assistance programmes during the reporting period are highlighted in box 1.

Box 1

Examples of United Nations assistance supporting justice and security institutions

Plurinational State of Bolivia. The United Nations supported a judicial reform initiative led by the Ministry of Justice, including on reparations.

Liberia. The Organization supported cross-border collaboration and capacity-building for effective border management. Efforts supported trust-building between the State, security forces and border communities by establishing peace infrastructures and community-oriented policing to assist security services to manage borders.

Mexico. The Organization promoted the creation of the Extraordinary Forensic Identification Mechanism to address the crisis of more than 52,000 unidentified deceased persons and continued to advocate the decriminalization of the personal use of drugs and the addressing of prison overcrowding, in line with the United Nations system common position on drug-related matters.

Panama. The United Nations supported the Government's programme to improve the infrastructure of the La Joya penitentiary centre to comply with the United Nations Standard Minimum Rules for the Treatment of Prisoners, including the expansion of capacity as well as the addition of new systems for fire and video surveillance and water storage.

The Sudan. The United Nations supported the capacity of the Sudanese Police Force in critical areas including criminal investigations, crime scene management, public order management, and sexual and gender-based violence investigations and victim support.

United Republic of Tanzania. With the support of the Organization, a bench book was designed to build judicial capacity regarding gender-responsive decision-making.

3. Efforts to eliminate corruption

16. The United Nations Convention against Corruption remains the foundation for the comprehensive response to this global problem. In its foreword, corruption is described as “an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life”.

² Integrated results and resources framework of the United Nations Development Programme, indicator 2.2.3.2: “Total number of additional population who have access to justice.”

17. In addition to the coordination efforts described in paragraphs 90 to 98 below, the Organization continued to provide anti-corruption assistance in national settings, as illustrated in box 2.

Box 2

Examples of United Nations assistance supporting anti-corruption efforts

Central African Republic. The United Nations assessed risks of corruption in the prison system and developed a plan to mitigate such risks. It also conducted activities to promote judicial integrity.

Ghana. In partnership with relevant Ghanaian institutions, the United Nations initiated the first corruption survey to collect evidence-based information on forms of corruption and determine the prevalence and typologies of corruption, as well as to measure the gender dimension of corruption. The results will provide indicators for crafting relevant policies and tracking future progress in strengthening the rule of law.

Honduras. The Organization, in response to a national request, deployed a multidisciplinary technical assessment mission to examine existing needs in relation to the fight against corruption and impunity and a possible way forward.

Iraq. The United Nations commenced a four-year anti-corruption project supporting the judiciary in addressing corruption and continued to monitor corruption trials.

4. Supporting security, crime prevention and armed violence reduction

18. The Organization continued to support the requests of Member States in implementing crime prevention standards by providing advice, strategies and programmes, including through surveys and community consultation mechanisms. It supported community-based strategies to prevent crime and violence, with a particular focus on children and young people in Lebanon and Mexico, and on maritime crime in Nigeria. Kyrgyzstan and South Africa both received strategic support in developing national crime prevention strategies. Violence reduction projects that enable communities to absorb former members of non-State armed groups and prevent the recruitment of at-risk young people are currently being conducted in the Central African Republic, the Democratic Republic of the Congo and Mali.

19. The United Nations promoted efforts aimed at tackling the illicit proliferation of small arms and light weapons, as well as illegal flows of arms and ammunitions, in Iraq and Libya, and in the Great Lakes region, the Lake Chad basin, the Sahel and South-East Europe. These initiatives have also contributed to the prevention of gender-based violence.

20. The Organization also supported the launch of the Regional Crime Observatory and the Crime Observatory of the Caribbean Community, through the Caribbean regional project entitled CariSECURE, to support governmental development of evidence-based policies and programmes based on an analysis of national and regional trends.

5. Advancing security and justice for all

Access to justice for all

21. The United Nations continued to promote access to justice through its support to States, formal and informal justice actors, civil society and communities. In Mali,

the Organization supported traditional justice mechanisms to resolve land disputes and prevent conflict in areas with limited presence of formal security and justice actors. Mobile courts in Burkina Faso, the Democratic Republic of the Congo and South Sudan, supported by the United Nations, have continued to be a successful mechanism for bringing justice to people in remote areas, reducing the length of pretrial detention and fighting impunity against serious crimes while contributing to peace and renewed State legitimacy.

22. In Pakistan, the Organization facilitated the provision of legal aid services by civil society and pro bono lawyers to 59 vulnerable pretrial detainees, including women, juveniles, members of minority groups and persons with disabilities, and developed a unified road map for the provision of free legal aid in Sindh Province.

23. Displaced people, especially displaced women and children, have significant legal protection and assistance needs, including a lack of access to or discrimination when attempting to obtain birth registration, civil documentation, services and work opportunities, housing, land, and property rights. In Ethiopia, a justice needs and satisfaction survey was conducted among refugees and host communities in partnership with the Government, which helped to establish demand-driven justice models that inform ongoing efforts to improve access to justice for all.

Security and justice for women and girls

24. Discriminatory laws deny women equal human rights and opportunities and negatively affect women's access to justice and protection. As such, eliminating laws that discriminate against women and girls is a human rights imperative and remains a key priority for the United Nations. In 2021, more than 50 per cent of the 232 legislative reform initiatives supported by the United Nations addressed discriminatory laws. A practical tool has been developed under the "Call to action for human rights" to support and strengthen this work across the United Nations system.

25. The pandemic exposed deep inequalities in women's access to justice, particularly in conflict-affected and crisis-affected countries in which women's justice needs were already most acute. There is also evidence that the pandemic and the measures to contain it, particularly those involving security forces, contributed to conflict-related sexual violence, affected the functioning of protection mechanisms and further hampered the Organization's ability to monitor these crimes and support access to justice for victim-survivors (see [S/2021/312](#)).

26. The pandemic also contributed to an increase in gender-based violence and aggravated the lack of specialized and gender-responsive legal aid services, with severe impacts on survivors of sexual and gender-based violence and women in conflict with the law. In 2021, the United Nations assisted 46,700 women in accessing gender-responsive legal aid. The Organization supported the delivery of legal aid to over 200 women in detention in Liberia, Senegal and Sierra Leone.

27. The Organization continued to provide policy support and technical assistance to prevent and respond to violence against women. In Libya, the United Nations facilitated the work of the Committee of Experts on Violence against Women to draft a law aimed at combating violence against women and will launch an advocacy campaign to increase awareness of and secure widespread support for the draft law. The Organization trained security and justice sector personnel in Egypt, Ethiopia, Guatemala, Iraq, Mexico, Pakistan and Viet Nam in the identification, investigation and prosecution of gender-based violence.

28. Women United Nations police officers and specialized police teams continued to apply a gender perspective to crime. This approach helped to address criminal activities disproportionately affecting women and children, and helped to improve

their access to law enforcement agencies. In 2021 and the first half of 2022, the United Nations police exceeded the targets of the uniformed gender parity strategy 2018–2028 in three categories and for the first time reached parity among heads of police components. However, more remains to be done. The United Nations remains committed to increasing the number of women police officers in peacekeeping operations as well as encouraging the recruitment of women in national police services and mainstreaming gender-sensitive policing.

29. The Organization also assisted national authorities in ensuring criminal accountability for perpetrators of conflict-related sexual violence. In the Central African Republic, an investigation into an incident of conflict-related sexual violence by the mixed unit for rapid intervention and repression of sexual violence against women and children, under the authority of the Prosecutor of the High Court of Kaga Bandoro, led to the collection of testimonial evidence from 123 victims and witnesses to facilitate the case going to trial. In a historic step towards accountability in Kosovo,³ in July 2021, the Basic Court of Priština/Prishtinë issued the first-ever conviction for conflict-related sexual violence by a court of Kosovo.

Security and justice for children

30. The United Nations directly supported justice system reforms and rule of law programmes for children in 121 countries, contributing to a 69 per cent increase in the number of countries reporting on improving access to child-friendly justice services since 2018. Similarly, the number of countries that have special measures for child survivors and witnesses of crime has grown from 53 in 2017 to 77 in 2021.⁴

31. In 81 countries, nearly 384,000 children in contact with justice and administrative bodies benefited from specialized services through programmes supported by the United Nations, including alternative dispute resolution mechanisms and child-friendly courts. In Lebanon, the Organization supported the establishment of an e-hearing system to ensure children's access to justice as well as the adaptation of services in detention facilities to maintain access to educational tools and contact with families.

32. The United Nations also continued to advocate diversion, innovative legal processes, and non-custodial solutions to detention. These and other targeted efforts contributed to the release of more than 45,000 children from detention in at least 84 countries since the beginning of the pandemic.⁵ Most of the countries reporting such release initiatives were in West and Central Africa (with 79 per cent of all reporting countries releasing children), East and Southern Africa (70 per cent) and South Asia (63 per cent).

33. The United Nations launched the Reimagine Justice for Children Agenda, underlining the accountability of States and individuals for the human rights of children and the importance of non-discrimination and children's legal empowerment, and calling for an end to all forms of detention of children.⁶

6. Strengthening the rule of law and human rights in the prevention and countering of terrorism and organized crime

34. The United Nations has consistently underscored the importance of effective criminal justice responses grounded in core principles of the rule of law, respect for

³ References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

⁴ United Nations Children's Fund (UNICEF), *Global Annual Results Report 2021: Goal Area 3* (New York, 2022).

⁵ UNICEF, *Detention of Children in the Time of COVID-19* (New York, 2021).

⁶ UNICEF, “#Reimagine Justice for Children” (New York, November 2021).

human rights and fundamental freedoms as essential components of successful strategies to prevent and counter terrorism. It continues to urge States to consider the potential effects of counter-terrorism measures, including counter-financing, on exclusively humanitarian or medical activities that are carried out by impartial actors in a manner consistent with international humanitarian law.

35. The United Nations has continued to provide technical assistance to Member States on human rights-based approaches to countering terrorism in, inter alia, Bolivia (Plurinational State of), Iraq, Mauritania, Morocco, Saudi Arabia, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

36. In the Lake Chad basin and Burkina Faso, criminal justice is advanced by the United Nations as one pillar of a comprehensive response to deal with persons suspected of having been associated with a terrorist group and to ensure justice for victims and appropriate assistance to support social reconciliation. In Libya, the Organization continued to provide technical assistance to the Office of the Attorney General to enhance the capacity of public prosecutors in dealing with the investigation of terrorism and organized crime. The United Nations also collaborated with the Public Prosecution Service of Egypt to train prosecutors on new methods for investigating terrorism and all forms of organized crime. The Organization further supported the strengthening of the capacities of prison and probation services to effectively manage violent extremist prisoners, including foreign terrorist fighters, and to prevent radicalization in prisons in, inter alia, Côte d'Ivoire, Kazakhstan, Maldives, Timor-Leste, Tunisia and Uganda. Police experts of United Nations peace operations bolstered host State capacity to prevent and address diverse organized criminal activities, including trafficking in persons, arms and drugs, migrant smuggling and illicit natural resource exploitation.

37. The Global Framework for United Nations Support on Syrian Arab Republic and Iraq Third Country National Returnees and its multi-partner trust fund were launched in September 2021. The Global Framework coordinates 15 United Nations entities to meet the humanitarian and protection needs of returnees while addressing security concerns and promoting accountability. Support is ongoing in Iraq, Kazakhstan, Kyrgyzstan, Maldives, Tajikistan and Uzbekistan.

38. Spain hosted the first-ever United Nations high-level international conference on the role of human rights, the rule of law and civil society engagement in effective counter-terrorism efforts, in May 2022. The event gathered over 400 representatives of Member States, international and regional organizations and civil society organizations.

7. Advancing justice and accountability

Accountability for serious crimes under international law

39. The United Nations continued to support national efforts to ensure accountability for serious human rights violations and international crimes.

40. The Security Council has increasingly mandated peacekeeping missions to assist host authorities in developing national capacities to investigate and prosecute international and other serious crimes that fuel conflicts, including conflict-related sexual violence. Addressing serious crimes that fuel conflict, including through combating impunity, weakening criminal networks, holding security forces accountable and deterring the reoccurrence of violence, has proved an effective protection and prevention tool.

41. Currently, four peacekeeping missions are supporting national accountability processes for serious crimes and are yielding measurable results. For example, since 2011, the United Nations has supported the military justice authorities in the

Democratic Republic of the Congo in processing over 1,260 case files, involving more than 2,180 accused persons and with more than 1,700 convictions and sentences (of which 52 per cent were members of security forces, 20 per cent members of armed groups and 27 per cent civilians). In September 2021, a former member of the Armed Forces of the Democratic Republic of the Congo and leader of the Raia Mutomboki Chance armed group was convicted of crimes against humanity and war crimes. It was the first trial in South Kivu involving charges concerning the recruitment and use of children and concerning the illegal exploitation of natural resources and represented a milestone in the fight against impunity in the province.

42. In conflicts and atrocities across the world, armed actors have perpetrated gender-based crimes that may amount to, inter alia, persecution as a crime against humanity. As these crimes are rarely documented, perpetrators are seldom held accountable. To help close the accountability gap, the United Nations produced, in December 2021, a framework for recognizing and understanding the crime against humanity of gender persecution for documenters, investigators, and adjudicators of crimes against humanity.⁷ Model Legislative Provisions and Guidance on the Investigation and Prosecution of Conflict-Related Sexual Violence⁸ are available to assist national legislators in ensuring that they criminalize sexual violence offences in a survivor-centred manner.

Accountability for crimes committed against United Nations personnel in peacekeeping operations and special political missions

43. Since 1948, 1,092 United Nations personnel serving in peacekeeping operations and special political missions have been killed, and 3,042 have been injured, as a result of malicious acts. It is of note that explosive ordnances have a significant impact on the safety of peacekeepers, with 643 peacekeepers and United Nations staff injured or killed by explosive ordnance devices since 2014 (see S/2021/1042). In many of the countries hosting peacekeeping operations, progress has been lacking with regard to the investigation, prosecution and adjudication of cases involving explosive ordnances in attacks against peacekeepers.

44. Nevertheless, progress has been made since the 2021 report to ensure accountability for such crimes, with an increase in the number of alleged perpetrators identified and detained, an increase in the percentage of cases with confirmed national investigations, and a number of convictions in the Democratic Republic of the Congo. The Organization continues to provide advisory services to host-State counterparts on conducting investigations, arrests and detentions to bring perpetrators to justice.

45. The Security Council unanimously adopted resolution 2589 (2021) on strengthening accountability for crimes committed against peacekeepers. Sponsored by 84 Member States, the resolution contains a call for a renewed focus on measures to bring to justice the perpetrators of acts of violence against United Nations personnel serving in peacekeeping operations.

8. Supporting inclusive transitional justice processes

46. Building upon existing expertise and lessons learned across the United Nations system, the Organization is currently implementing a coordinated system-wide project on transitional justice. The project involves an in-depth assessment of the Organization's approach to transitional justice support, substantively and

⁷ United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), "Identifying gender persecution in conflict and atrocities: a toolkit for documenters, investigators, prosecutors and adjudicators of crimes against humanity", academic paper, December 2021 (New York, 2021).

⁸ Available at <https://stoprapenow.org/wp-content/uploads/2021/06/model-legislation17June.pdf>.

operationally, with a view to achieving greater institutional coherence, coordination and impact. The aim is to issue a comprehensive revision of the guidance note of the Secretary-General on the United Nations approach to transitional justice (2010)⁹ as a critical component of the United Nations framework for strengthening the rule of law.

47. The United Nations advances a gender-sensitive and survivor-centred approach to transitional justice, particularly in relation to survivors of sexual and gender-based violence. Examples of United Nations assistance to address past large-scale human rights violations are provided in box 3. Recognizing the importance of a gender perspective and women's meaningful participation in transitional justice processes, the Organization supported women's inclusion in countries and territories including Colombia, Guatemala, Mali, South Sudan and Tunisia, and Kosovo. The Organization assisted women in leadership and decision-making positions, including women prosecutors, peacebuilders, victim-survivor leaders and civil society representatives. In addition, between 1 May 2020 and 31 December 2021, more than 5,600 women were able to access justice as victims and survivors of human rights violations in Mali, South Sudan and Tunisia; of these women, 2,770 brought claims related to sexual or gender-based violence.

Box 3

Examples of United Nations assistance to address past large-scale human rights violations

Colombia. The Organization provided support to justice mechanisms established in the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace of 2016 to address gross human rights violations committed in the armed conflict, enhance victim participation and align procedures with international standards, and helped to promote reconciliation and non-repetition. The Special Jurisdiction for Peace has accredited 332,124 victims, placed more than 13,400 people under its jurisdiction, opened additional cases and held public hearings to bring perpetrators to acknowledge, face to face with victims, their responsibilities for crimes committed and contribute to the truth. Support is also being extended to disseminate and follow up on the recommendations of the final report of the Commission for the Clarification of Truth, Coexistence and Non-Repetition.

The Gambia. The United Nations supported the Transitional Justice and Human Rights Project, which concluded with the publication of the report of the Truth, Reconciliation and Reparations Commission. The assistance provided was related to training on mental health and psychosocial support, the impact of gross human rights violations on marginalized communities and capacity-building initiatives for victims' associations, media professionals, women and young people to enhance their participation in the transitional justice process.

Guatemala. The United Nations continued to support indigenous women seeking justice for conflict-related sexual violence during the country's armed conflict in the 1980s and efforts to implement reparations judgments.

Maldives. The United Nations supported the mandate of the Ombudsperson's Office for Transitional Justice to investigate past systematic human rights violations, determine institutional and individual

⁹ Available at www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf.

responsibilities, transfer civil and criminal cases to courts and identify measures for institutional reforms and guarantees of non-recurrence.

Tunisia. The Organization engaged with civil society and victims' organizations and provided training to the Specialized Criminal Chambers mandated to adjudicate cases of gross human rights violations that occurred between 1955 and 2013.

Western Balkans. The United Nations supported the Regional Youth Cooperation Office in relation to the topic of leadership for reconciliation and addressed young people's perceptions of peace and security.

9. Supporting constitution-making

48. The Organization continued to respond to requests from Member States for support in the design and conduct of inclusive, participatory and nationally owned constitutional reform processes that ensure respect for human rights and the rule of law.

49. For instance, the United Nations supported the Ministry of Justice and Constitutional Affairs of South Sudan in drafting the law governing the constitutional review under the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan. The Organization also prepared civil society representatives for their participation in the review. In the Syrian Arab Republic, in line with Security Council resolution [2254 \(2015\)](#), the Organization continued to facilitate the work of the Syrian-led and Syrian-owned Constitutional Committee.

50. Work in this area included constitutional assistance that prioritized the participation and inclusion of marginalized and excluded groups. For example, in Guinea-Bissau, the Organization supported the national Association of Women's Jurists in advocating making the revised constitution more gender-responsive.

51. The Global Gender Equality Constitutional Database, which is used by the Organization to deliver technical assistance in relation to constitutions and constitution-making as well as to promote learning between Member States, was updated. It is a repository of gender equality-related provisions in constitutions worldwide and reflects progress and retrogression in gender equality language in constitutions over time.

B. Promotion of the rule of law at the international level

1. Codification and development of international instruments, norms, standards and rules

52. The reporting period has been marked by continued activity of the Organization and Member States to further international law.

53. The International Law Commission held its seventy-second session in Geneva and had six substantive topics on its agenda: (a) the protection of the atmosphere; (b) the provisional application of treaties; (c) the immunity of State officials from foreign criminal jurisdiction; (d) the succession of States in respect of State responsibility; (e) general principles of law; and (f) sea-level rise in relation to international law.

54. During the seventy-sixth session of the General Assembly, the Sixth Committee considered the item on the report of the International Law Commission, as reflected in Assembly resolution [76/111](#). The Committee also considered the agenda items entitled "Crimes against humanity" and "Protection of persons in the event of

disasters”, on the basis of the articles completed by the International Law Commission in 2019 and 2016, respectively.

55. With respect to the law of the sea, the number of parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks increased to 92 with the accession of Togo on 11 May 2022.

56. The fourth session of the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, convened pursuant to General Assembly resolution 72/249, took place in March 2022. A fifth session of the Conference will take place in August 2022.¹⁰

57. There were developments regarding multilateral agreements deposited with the Secretary-General. Two sets of amendments to agreements in the field of the protection of the environment entered into force. Amendments to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants, adopted in 2009, entered into force on 20 January 2022. Amendments to the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Heavy Metals, adopted in 2012, entered into force on 8 February 2022.

58. In his capacity as depositary of the International Covenant on Civil and Political Rights, the Secretary-General received, during the reporting period, a significant number of notifications of states of emergency imposed in response to the pandemic from parties that availed themselves of their right of derogation under article 4 of the Covenant.¹¹

59. The United Nations Convention against Corruption has been ratified or acceded to by 189 parties. During the reporting period, Somalia and Suriname acceded to the Convention.

60. The Convention on the Reduction of Statelessness of 1961 has 78 parties and five signatories. During the reporting period, the Philippines and Togo acceded to the Convention. Togo also acceded to the Convention relating to the Status of Stateless Persons of 1954.

61. The Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes,¹² established by General Assembly in its resolution 74/247, held its session on organizational matters and its first and second sessions during the reporting period.

62. At its fifty-fourth session, the United Nations Commission on International Trade Law (UNCITRAL) adopted several legislative texts concerning mediation, arbitration and micro-, small and medium-sized enterprises. There were 30 legislative actions with respect to UNCITRAL texts, including one accession to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, two ratifications of the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration, and two signatories to and three ratifications of the United Nations Convention on International Settlement Agreements Resulting from Mediation.

63. At its thirty-first session, the Commission on Crime Prevention and Criminal Justice adopted resolutions on combating illicit trafficking in wildlife (resolution

¹⁰ See General Assembly decision 76/564 of 23 May 2022.

¹¹ The complete list of depositary notifications issued can be found on the website of the United Nations Treaty Collection, treaties.un.org.

¹² See www.unodc.org/unodc/en/cybercrime/ad_hoc_committee.

31/1), reducing reoffending through rehabilitation and reintegration (resolution 31/2) and protecting children from sexual exploitation and abuse (resolution 31/3).

64. The United Nations supported the Group of Governmental Experts on torture-free trade to examine the feasibility of possible common international standards on the trade of goods used for capital punishment and torture (General Assembly resolution 73/304). In December 2021, States members of the World Health Organization reached consensus to begin the process of drafting and negotiating an international instrument to strengthen pandemic prevention, preparedness and response.

65. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, established under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted its general comment on the rights of migrants to liberty and freedom from arbitrary detention, and the Committee on the Rights of the Child, established under the Convention on the Rights of the Child, adopted its general comment No. 25 (2021) on children's rights in relation to the digital environment.

66. In 2021, the Organization finalized the Sustainable Development Goal 16 survey initiative and produced an integrated methodology for collecting data on Goal 16 survey-based indicators.

67. In October 2021, the Human Rights Council adopted a resolution in which it recognized the right to a clean, healthy and sustainable environment (resolution 48/13).

68. The parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters established a rapid response mechanism for the protection of environmental defenders at its seventh session in October 2021.

2. Promotion of international instruments, norms, standards and rules

69. The Organization continued to provide needs-based outreach and capacity-building assistance, where requested, in relation to international instruments, norms, standards and rules.

70. Activities under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, including its training programmes and the United Nations Audiovisual Library of International Law, an online educational resource available free of charge, continued to ensure access to high-quality training. With respect to the Library, 16 lectures were added to the lecture series on Sustainable Development Goals 5 (gender equality), 6 (clean water and sanitation), 13 (climate action) and 16 (peace, justice and strong institutions) and a mini-series on the law of treaties, among other materials added. Materials from the Library were disseminated through the *Journal of the United Nations*, social media and specialized international law blogs.

71. During the reporting period, four interactive online workshops on the peaceful settlement of international disputes were conducted for selected applicants to the International Law Fellowship Programme and the regional course in international law for Africa, Asia-Pacific, and Latin America and the Caribbean.

72. At its fifty-fourth session, UNCITRAL commended the Secretariat for organizing two virtual panel discussions on technical assistance activities. At a forum convened on the margins of the UNCITRAL session, representatives from African States shared views on commercial law focused on the digitization of the economy; the establishment of a harmonized legal framework for a fair and efficient settlement

of international investment disputes; and transparency, accountability and good governance in the commercial law framework.

73. The United Nations has developed and delivered capacity-building activities in support of the implementation and further development of international legal and institutional frameworks for oceans, as set out in the United Nations Convention on the Law of the Sea and related instruments.

74. The United Nations also continued to support national efforts in implementing the United Nations Convention against Transnational Organized Crime and the protocols thereto, including through the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.¹³ It has expanded the knowledge base on legislative, policy and administrative measures to combat organized crime, including by further developing its knowledge management portal entitled “Sharing Electronic Resources and Laws on Crime” (SHERLOC).¹⁴ As of January 2022, SHERLOC included 3,228 organized crime cases from 135 States and more than 11,700 pieces of legislation from 197 States. The United Nations also developed an organized crime strategy toolkit for developing high-impact strategies;¹⁵ digests of cases on international cooperation in criminal matters involving the organized crime convention as a legal basis¹⁶ and on cyber organized crime;¹⁷ issue papers on policymaking and the role of online intermediaries in preventing and combating illicit trafficking,¹⁸ organized crime and human rights,¹⁹ and organized crime and gender;²⁰ and the second edition of the Model Legislative Provisions against Organized Crime.²¹

75. In 2021, the Committee on the Elimination of Discrimination against Women drafted a general recommendation on indigenous women and girls.²²

3. International and hybrid courts and tribunals

76. International and hybrid courts and tribunals are key actors that strengthen the rule of law.

International Court of Justice

77. During the reporting period, the International Court of Justice maintained a high level of judicial activity, including in the cases *Somalia v. Kenya*, *Ukraine v. Russian Federation*, *Democratic Republic of the Congo v. Uganda*, *Nicaragua v. Colombia*, and the two cases involving Armenia and Azerbaijan.

78. Owing to the pandemic, the Court adapted to fulfil its mandate, including by holding hearings in a hybrid format. At the time that the present report was being

¹³ See www.unodc.org/unodc/en/organized-crime/intro/review-mechanism-untoc/home.html.

¹⁴ See <https://sherloc.unodc.org/cld/en/st/home.html>.

¹⁵ Available at https://sherloc.unodc.org/cld/uploads/pdf/Strategies/OC_Strategy_Toolkit_Ebook.pdf.

¹⁶ Available at www.unodc.org/documents/organized-crime/tools_and_publications/Digest_Cases_International_Cooperation_UNTOC_Legal_Basis.pdf.

¹⁷ Available at <https://sherloc.unodc.org/cld/en/st/resources/publications/Digest-of-Cyber-Organized-Crime>.

¹⁸ Available at https://sherloc.unodc.org/cld/uploads/pdf/Online_intermediaries_eBook.pdf.

¹⁹ Available at https://sherloc.unodc.org/cld/uploads/pdf/21-01901_Human_Rights_eBook_1.pdf.

²⁰ Available at https://sherloc.unodc.org/cld/uploads/pdf/Issue_Paper_Organized_Crime_and_Gender_1.pdf.

²¹ Available at www.unodc.org/documents/organized-crime/tools_and_publications/21-05601_Model_Leg_Prov_eBook.pdf.

²² Available at www.ohchr.org/en/calls-for-input/2022/draft-general-recommendation-rights-indigenous-women-and-girls.

drafted, there were 15 cases pending before the Court, with 2 being heard or under deliberation.

Law of the sea tribunals

79. Judicial activity of the International Tribunal for the Law of the Sea during the reporting period concerned two cases: in December 2021, *The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)* case was discontinued by agreement of the parties, and a second round of written pleadings was authorized in the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*.

80. Law of the sea issues were also considered by two arbitral tribunals constituted under annex VII of the United Nations Convention on the Law of the Sea: the *Dispute Concerning Coastal State Rights in the Black Sea, Sea of Azov, and Kerch Strait (Ukraine v. Russian Federation)*; and the *Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen (Ukraine v. the Russian Federation)* in respect of which an award on the preliminary objections of the Russian Federation was issued in June 2022.

International criminal courts and tribunals

81. The United Nations continued to cooperate with the International Criminal Court by providing administrative, legal and logistical support in accordance with the relationship agreement between the two organizations, including through the sharing of information and evidence, the provision of transportation and security support for the Court's field operations, and the facilitation of interviews with and the giving of testimonies by United Nations personnel. In February 2022, the United Nations filed a submission in the *Ongwen* case that addressed sexual and gender-based crimes and crimes against children and how effective reparations might be provided in the Ugandan context.

82. The International Residual Mechanism for Criminal Tribunals continued to carry out the residual functions of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. On 29 June 2022, the Mechanism issued its appeal judgment in the *Fatuma et al.* case. It remains seized of appeal proceedings in the *Stanišić and Simatović* case. The pretrial proceedings in the *Kabuga* case continued, with a trial expected to commence in September 2022.

83. The Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia is seized of appellate proceedings in case 002/02 relating to the conviction of Khieu Samphan. On 17 and 28 December 2021, respectively, the Chamber terminated case 003 against Meas Muth and case 004 against Yim Tith in the absence of a definitive and enforceable indictment in each case.

84. On 10 March 2022, the Appeals Chamber of the Special Tribunal for Lebanon overturned the judgment of the Trial Chamber and convicted Hassan Habib Merhi and Hussein Hassan Oneissi in relation to the 2005 attack in Beirut that killed the former Prime Minister of Lebanon, Rafik Hariri, and 21 others and injured 226 people. On 16 June 2022, the Appeals Chamber unanimously sentenced them to life imprisonment for each of the five crimes of which they were convicted and ordered that the sentences should run concurrently.

85. 2022 marked the twentieth anniversary of the establishment of the Special Court for Sierra Leone, and several commemorative events were held to celebrate that event. The Residual Special Court for Sierra Leone continues to monitor the enforcement of sentences of persons convicted by the Special Court, provide support services to protected witnesses and address requests for assistance from national authorities.

Other international accountability mechanisms

86. The International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 continued its efforts to contribute to the accountability process, as reflected in its annual report to the General Assembly (A/76/690). During the reporting period, it continued to expand its repository of information and evidence and advance its structural investigation. In addition, the Mechanism provided greater support to the work of jurisdictions investigating and prosecuting crimes committed in the Syrian Arab Republic and has assisted in 91 national investigations to date.

87. The United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) continued to contribute to the accountability process, as reflected in its recent biannual reports to the Security Council (S/2021/974 and S/2022/434). During the reporting period, UNITAD saw progress across all investigative lines of inquiry, including on the use of chemical and biological weapons by Da'esh in Iraq. In its resolution 2597 (2021), the Security Council extended the mandate of UNITAD until 17 September 2022.

88. The Independent Investigative Mechanism for Myanmar overcame operational challenges arising from the pandemic, as reflected in its third annual report to the Human Rights Council (A/HRC/48/18). During the reporting period, the Mechanism significantly expanded its collection of information and evidence and cooperated with the International Criminal Court and the State parties in the case of *The Gambia v. Myanmar* before the International Court of Justice.

C. Strengthening the administration of justice within the Organization

89. The internal system of administration of justice is built to guarantee the observance of the rule of law within the Organization and for its staff members. As at 1 July 2022, the United Nations Dispute Tribunal had issued 2,257 judgments and the United Nations Appeals Tribunal 1,236 judgments.

III. Coordination and cohesiveness in United Nations rule of law assistance

90. Concerted effort by the Organization to improve the coordination and effectiveness of its programmes continued both within thematic areas and within country-specific contexts. In Libya, in the first quarter of 2022, the United Nations established the international coordination working group for actors in the field of rule of law, composed of relevant United Nations entities as well as the European Union and several international non-governmental organizations. The main objective of the working group is to ensure cohesion in the rule of law activities in Libya and avoid overlapping efforts of the different entities.

Global Focal Point for the Rule of Law

91. This year marks the tenth anniversary of the Global Focal Point for the Rule of Law as an internal United Nations arrangement for collective rule of law responses on the ground. To date, the Global Focal Point has supported over 30 joint rule of law programmes and facilitated over 100 deployments of expertise and 55 joint assessment missions. In addition, it has advanced cooperation among United Nations rule of law partners, including through joint programmes and seed funding for joint initiatives.

92. There were over 25 expert deployments under the Global Focal Point umbrella during the reporting period, including multi-agency online missions in support of joint rule of law programmes in Somalia, the identification and dispatch of surge justice capacity for the implementation of joint activities in the Central African Republic, and the development of the capacity of Gambian security institutions to conduct peaceful, transparent, free and fair elections.

United Nations inter-agency task force on policing

93. Following the establishment of the inter-agency task force on policing, participating entities committed themselves to (a) regularly sharing information on United Nations policing assistance through real-time mapping to facilitate coherence and avoid duplication, in close coordination with the Global Focal Point and other forums; (b) communicating United Nations policing guidance or norms under development or gaps to strengthen consistent assistance; and (c) developing a campaign on the positive multiplier effect of policing as practiced by the United Nations.

United Nations Global Counter-Terrorism Coordination Compact

94. The United Nations Global Counter-Terrorism Coordination Compact continued to advance coordination and coherence within the Organization on issues related to counter-terrorism, including to strengthen human rights, the rule of law and gender mainstreaming as cross-cutting priorities. Working groups under the Compact held dedicated briefings on the human rights due diligence policy on United Nations support to non-United Nations security forces and on gendered dimensions of counter-terrorism and violent extremism. The Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism and Supporting Victims of Terrorism published the Model Legislative Provisions for Victims of Terrorism and the Basic Human Rights Reference Guide on Proscription of Organizations in the Context of Countering Terrorism. The Working Group on Criminal Justice, Legal Responses and Countering the Financing of Terrorism continued its work on data protection in international cooperation and on respect for human rights in countering the financing of terrorism. In April 2022, UNITAD and the Financial Action Task Force joined as the forty-fourth and forty-fifth members of the Compact.

Inter-agency coordination and cooperation in preventing and combating trafficking in persons and the smuggling of migrants

95. In 2021 and 2022, the Inter-Agency Coordination Group against Trafficking in Persons made two separate high-profile calls upon States²³ to advance six thematic priorities in global forums addressing both human trafficking and migration. Furthermore, in 2021, the Group produced leading policy guidance on the role of

²³ A joint submission relating to the negotiations of a political declaration on the third appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons (July 2021); and a submission relating to the Progress Declaration of the International Migration Review Forum on the implementation of the Global Compact for Safe, Orderly and Regular Migration (March 2022).

public procurement in preventing trafficking in persons²⁴ and on trafficking in persons for the purpose of organ removal,²⁵ and advanced the implementation of the principle of the non-punishment of trafficking victims and the inclusion of survivor voices in the design and implementation of trafficking responses.

96. The Global Protection Cluster Task Team on Anti-Trafficking continued to advance responses to trafficking in persons in humanitarian situations. In response to the risk of trafficking in persons resulting from the situation in Ukraine, a policy support group of the Inter-Agency Coordination Group dedicated to the development of coherent and coordinated policy responses and a regional protection working group on Ukraine, including a task force on trafficking in persons, were recently launched.

97. The United Nations Network on Migration has continued to give visibility to and strengthen coordinated efforts to counter the smuggling of migrants, as well as trafficking in persons, in the context of international migration, in line with the Global Compact for Safe, Orderly and Regular Migration, including through the provision of guidance and support to States throughout the regional reviews of the implementation of the Compact and the first International Migration Review Forum.

Inter-agency coordination and cooperation in preventing and combating corruption

98. The Global Task Force on Corruption continued to serve as a platform for exchanging information and best practices and coordinating United Nations activities against corruption. It coordinated the preparation of the United Nations common position to address global corruption. Several members of the Task Force participated actively in the ninth session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Sharm El-Sheikh, Egypt, from 13 to 17 December 2021, six months after the special session of the General Assembly against corruption, held from 2 to 4 June 2021. The Conference of the States Parties, in its resolution 9/2, adopted a political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation: follow-up to the special session of the General Assembly against corruption”. In the context of the report of the Secretary-General on Our Common Agenda, the Task Force is addressing the recommendation to accelerate action to tackle corruption, building upon the political declaration and the United Nations common position to address global corruption.

IV. Concluding observations

99. As observed in Our Common Agenda, the global community needs multilateralism that is more networked, more inclusive and more effective to address twenty-first century challenges. Such multilateralism depends on unflinching bonds between and within States, the foundation of which is a strong social contract between the State and its people. The Organization is committed to supporting States, at their request, in renewing their social contract, particularly with a focus on trust, through robust assistance programmes. The United Nations will bolster the impact of such programmes through a new vision for its rule of law assistance and will continue to make human rights commitments a reference point in the design and delivery of United Nations programmes, development assistance and crisis prevention initiatives.

²⁴ Available at https://icat.un.org/sites/g/files/tmzbd1461/files/publications/icat_issue_brief_10_on_public_procurement_0.pdf.

²⁵ Available at https://icat.un.org/sites/g/files/tmzbd1461/files/publications/icat_brief_tip_for_or_final.pdf.

100. The ambition of the new vision for the rule of law is to ensure that United Nations assistance can bring about meaningful change in people's lives and bring us closer to achieving Sustainable Development Goal 16, on peaceful and inclusive societies, justice that is accessible to all, and effective, accountable and inclusive institutions at all levels.

101. As requested in General Assembly resolution [76/117](#), the Sixth Committee may wish to consider, as a sub-topic for the seventy-seventh session, using technology to advance access to justice for all. As noted by the Secretary-General in his "Call to action for human rights", digital technologies provide new means to advocate for, defend and exercise our rights, but they are too often used to violate rights, especially of people who are already vulnerable or being left behind. In the field of justice, while technology can provide more accessible services and innovative dispute resolution mechanisms, the potential negative impacts of technology on due process and other human rights, as well as effects of the digital divide, need to be carefully examined.
