

Statement by H.E. Archbishop Gabriele Caccia
Permanent Observer of the Holy See to the United Nations
UNGA 76 ±Sixth Committee

Agenda Item 8 5:

The Rule of Law at the National and International Levels

Madam Chair,

In his address to the diplomatic corps accredited to the Holy See earlier this year, Pope Francis remarked that, in light of the challenges that the world currently faces, upholding the rule of law has never been more important.¹ Law is the indispensable prerequisite for the exercise of all power and must be guaranteed by the responsible governing bodies, regardless of dominant political interests.²

In considering the rule of law at the national and international level, this Committee should continue to remind the international community of the centrality of treaties. International agreements, implemented according with the foundational tenet of international law, *pacta sunt servanda*, foster mutual trust and establish the basis to cultivate peace and development² on the basis of the carefully negotiated language, the obligations that State parties have voluntarily undertaken. Treaties set forth the obligations that State parties have voluntarily undertaken. Through the work of conference secretariats, expert bodies, commissions or other auxiliary entities ±while perhaps helpful to some States ±are not legally binding until they are explicitly approved by States. In this context, my Delegation welcomes the

attention, including critical initiatives to provide effective crime prevention, strengthen the rule of law in combatting terrorism, and above all, broaden access to justice for all, especially those who face the scourges of poverty, discrimination, and displacement.

The rule of law at the domestic level must also be safeguarded at every stage in the criminal justice process. My Delegation encourages in particular ongoing work to ensure that law enforcement authorities respect due process at the moment of arrest, and during detention, trial, and sentencing. Efforts should likewise be redoubled to guarantee humane prison conditions and to combat the growing problem of overcrowding. Towards these ends, the Holy See applauds in particular the initiatives taken in the past year to address the effects of the COVID