

Security Council Open Debate on Rule of Law
Tuesday, 29th June 2010, Security Council Chamber (GA-TSC-01)

Statement by Ambassador Salam, Permanent Representative of Lebanon to the United Nations

At the outset, we would like to thank Mexico for choosing the topic under discussion today. The rule of law at the international level is a cornerstone of the maintenance of international peace and security, and the Security Council must retain it as a method of work and a goal in view at all times.

I would like to thank Ms. Migiro for her presence here today and her important remarks, and Ms. O'Brien for her comprehensive statement.

International law is the accumulation of written and unwritten rules that regulate international relations. Notwithstanding the differences between States in terms of population, geography, national culture, identity, religion and political, economic and social considerations, we are all united by the obligation to abide by the provisions of international law. That is the common element that unites us all. We have all contributed to establishing this system on the basis of our belief in the importance of creating an international framework that guarantees the sovereignty, independence and security of States, provides for stability in relations on the basis of justice and equality, and guarantees respect for basic human rights.

This law has been expanded and developed over previous decades so that it now includes, in addition to international legal norms and the United Nations Charter, international humanitarian law, the law of treaties, international trade law, the law of the seas, the outer space law, various counter-terrorism agreements, and numerous conventions on economic, social, cultural, civil and political human rights.

The core objective of the establishment of the United Nations at the end of the Second World War was to maintain international peace and security, as stated in Article 1 of the Charter, and to deter and punish any State that chooses the military option except in cases involving collective security and legitimate defence.

For this purpose, Article 33 of the Charter lists the peaceful means for conflict prevention and resolution. These options must remain the alternatives to war and violence. In that regard, we commend the role of the Secretary-General, the International Court of Justice, the International Tribunal for the Law of the Sea, the Permanent Court of Arbitration and other international, regional and local mechanisms that also contribute to the peaceful resolution of conflicts.

However, we continue to witness a selective application of the principle of preventing the use of force. This reality threatens to render that concept meaningless. It also constitutes a blatant violation of the rule of law. Unfortunately, there are many examples of this, the most serious of which are such Israeli practices as the annexation of territory, the building of settlements in the occupied Palestinian West Bank and in the occupied Syrian Golan, the various transgressions against holy sites, the identity of the land and its history, such as in Al-Quds Al-Sharif, the policy of collective punishment and siege practiced in Gaza, the various threats of war and destruction against Lebanon, and the daily violations of its sovereignty by land, sea and air.

This reality is extremely dangerous because it creates the public perception that the international community is incapable of preventing these practices, which violate the principles of the United Nations and of international law, specifically the sovereignty and territorial integrity of States, the right of peoples to self-determination, and the non-use of force. It also suggests that Israel is a State with no accountability and above international law and that the United Nations is an incompetent and incapable entity. This harms the Organization's image, reputation, efficiency and role in the service of peace.

Lebanon, like many other States, refuses to employ discretion and double standards. Lebanon believes that it is its right and indeed its duty to question why certain international resolutions are implemented while others are ignored. Why are sanctions enforced against some but not all States that do not comply with international resolutions? Does not Article 25

of the Charter oblige everyone to respect the resolutions of the Security Council? Where is the actual implementation of the principle of respect for contracts — *pacta sunt servanda* — when certain countries do not abide by the Charter? What is the value of legal opinions issued by the International Court of Justice when not all countries abide by them? For how long will war criminals and those who commit crimes against humanity be punished in some States and not in others?

Equality among States is one of the main principles of the United Nations and a pillar of the concept of the rule of law. The international scene today is vastly different from that of 1945. Accordingly, the credibility of the Security Council is being tested today because, although it calls for the spread of democracy and justice, there is no review of the structure of the Council itself and its practices aimed at making the Council more democratic in its representation and more fair in its methods of work.

Despite all this, Lebanon cannot help but welcome the role that the Security Council is currently playing in the protection of civilians in conflict and war situations, especially **women** and children, and in ensuring compliance with the rules of international humanitarian law. We hope that the Council will firmly abide by these rules, because they have now become binding for everyone.

Lebanon also welcomes the other significant steps taken by the Council, including the creation of international tribunals to prosecute those who commit the most heinous crimes and to contribute to ending impunity. This is an inseparable part of the implementation of the rule of law and the maintenance of international peace and security.

The Lebanese people therefore look forward to the activation and work of the Special Tribunal for Lebanon aimed at finding truth and delivering justice and equity to the victims, healing wounds and deterring criminals without resorting to the logic of vengeance or politicization.

Lebanon commends the role that the Security Council plays in post-conflict situations. This role involves establishing and building peace by achieving national reconciliation, strengthening national unity, enabling countries to move on and to leave the painful past behind, building national capacities and creating the legislative and institutional foundations to guarantee good governance, democracy and respect for human rights. These are the fundamentals of the rule of law at the national level.

Sanctions are a tool to be used for the maintenance of international peace and security in accordance with Chapter VII of the Charter. The Security Council, in abiding by the principles of justice, transparency and basic human rights in the work of its sanctions committees, will enhance the effectiveness of these committees and will not hinder them from achieving their objectives. The appointment of an Ombudsman to the Committee established pursuant to resolution 1267 (1999) and the consideration of humanitarian exceptions in sanctions are two very important steps. However, we need to do more because if we were to agree to combat terrorism at the expense of respect for human rights law, terrorism would have won the fight.

In conclusion, Lebanon reiterates its conviction that the basis for maintaining international peace and security and for guaranteeing justice and equality among States and respect for basic human rights is the might of the law and not the law of might. International law is a social contract between States; we are all its legislators and we all must respect it.