

Declaration of G8 Foreign Ministers on the Rule of Law

1. We, the Foreign Ministers of the G8, reaffirm that the rule of law is among the core principles on which we build our partnership and our efforts to promote lasting peace, security, democracy and human rights as well as sustainable development worldwide.
2. In a globalizing world, respect for the rule of law enhances the quality and intensity of interaction within and between societies and economies. Trade, investment and the movement of people and ideas can create tremendous opportunities for all. For the process of globalization to be peaceful, sustainable and beneficial for all, it is imperative to adhere to the principles of supremacy of law, equality before the law, accountability to the law, legal certainty, procedural and legal transparency, equal and open access to justice for all, irrespective of gender, race, religion, age, class, creed or other status, avoidance of arbitrary application of the law and eradication of corruption. International trade, foreign investment and the protection of property rights create a conducive environment for an ever closer interdependence in the economic sphere and beyond. Free and fair competition must be ensured through effective protection by state institutions. There can be no sustainable development without the rule of law to protect the rights and liberties of all persons. The advancement of the rule of law is, therefore, an imperative for any country that wants to achieve social and economic progress in a globalizing world.
3. Together with democracy and the respect for human rights and fundamental freedoms, the rule of law is a key condition for lasting peace, security and sustainable development. At our meeting in Miyazaki on 13 July 2000, we stated that “efforts to prevent conflict must be based upon observance of international law, including the UN Charter, democracy, respect for human rights, the rule of law, good governance, sustainable development and other fundamental values, which constitute the foundation of international peace and security.” We are convinced that conflicts within societies cannot be settled in a peaceful manner unless all individuals, institutions and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international law, including human rights law. The restoration of justice and the promotion of the rule of law are of particular importance in post-conflict societies and must be essential elements of any comprehensive conflict prevention or resolution strategy. In this context, we look forward to the Conference on the Rule of Law in Afghanistan – co-chaired by the United Nations together with Italy as host country and the Government of Afghanistan – to be held in Rome on 3 July 2007, as an opportunity to enhance international commitment to Afghan justice sector reform.
4. The importance of the rule of law as a principle of governance extends beyond states’ borders. We firmly believe that observance of international law including the Charter of the United Nations provides a framework for beneficial cooperation among states and international stability and is a key condition for the non-violent resolution and prevention of conflicts. We reaffirm the need for universal adherence to and implementation of the rule of law and international law, which together with the principle of justice is essential for peaceful coexistence and cooperation among states. We call upon states to consider acceding to and implementing international instruments that advance our common interests in peace, democracy and security through the rule of law.

5. Much has been done to promote the rule of law worldwide. We commend and support, in particular, the United Nations' activities in this field. We also welcome the increasing role of regional organizations in the promotion of the rule of law.
6. We have taken note of the report of the UN Secretary General of 23 August 2004 ("The rule of law and transitional justice in conflict and post conflict societies"). We recall the declaration of the "World Summit" in 2005 which demands greater attention for the promotion of the rule of law and support the implementation, without delay, of the conclusions and recommendations contained therein. We take note with satisfaction of the concrete measures proposed by the UN Secretary General's report of 14. December, 2006 ("Uniting our Strengths: Enhancing United Nations Support for the Rule of Law") with a view to strengthening the Organization's capacities in the area of rule of law, and look forward to the swift implementation of these proposals. We also expect that the promotion of the rule of law will play a major role in the activities of the United Nations' Peace Building Commission.-
7. Despite numerous efforts to promote the rule of law, major challenges remain. Arbitrary administration of power and application of national and international law, impunity, lack of access to justice, lack of due process, weak accountability structures, terrorism, corruption, and activities of criminal organizations as well as disregard of norms and principles of international law, including the UN Charter, undermine international stability and the effective enjoyment of human rights, economic and social development in many countries around the world.
8. In order to meet these challenges, we, the Foreign Ministers of the G8, undertake to promote a more coherent international approach, tying together existing initiatives and supporting the United Nations, regional organisations, states and non-state-actors active in this field. We recognize the importance of encouraging and respecting local ownership and leadership in the efforts towards the promotion of the rule of law. In order to effectively promote the rule of law, all stakeholders, international and national, governmental and non-governmental, have to join efforts. We recognise, in particular, the important role of academic institutions, media, professionals in the judicial systems, lawyers, business, and other actors of civil society in this endeavour. We are mindful that the promotion of the rule of law requires true commitment by and participation of all relevant stakeholders.
9. In order to identify further common ground and with a view to discussing ways of supporting relevant international efforts, in particular those of the United Nations which play a pivotal role in this context, identifying gaps that need to be addressed and better coordinating our own efforts, we ask the German Presidency to convene, in the second half of 2007, a meeting at technical and expert level, including non-state actors and representatives of the United Nations, development banks and regional organizations. This meeting should facilitate a closer dialogue on issues relating to the promotion of the rule of law, which should be opened to participants from non-G8-countries interested in cooperating with the G8 on issues related to the promotion of the rule of law.